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EDITORIAL COMMENT

The Editor Returns and Reports

In years past the readers of the REVIEW have cheerfully borne the editor's absence when he has become involved in electoral matters in Latin America. Some have said that the magazine improved when he went away. Although this may perhaps be true, he nevertheless has a feeling of obligation towards the REVIEW audience and begs to report progress in Nicaragua, whence he has just returned.

On January 1, Nicaragua witnessed for the first time in her history a peaceful change in party government. On that day General Moncada, the leader of the unsuccessful Liberal Revolution of 1926–27, replaced don Adolfo Diaz, the Conservative president whose term had expired. The Liberals thus attained through the ballot what they had been unable to gain by revolution. Because the change was not accompanied by battles, burnings and death the present moment finds Nicaragua facing an apparent era of good feeling. True, some leaders of the defeated government are leaving to seek their fortunes in foreign lands. But the exodus is smaller than past party turnovers have witnessed. While some conservative politicians remaining are doubtless troubled by uneasy consciences, the new president has announced that political enemies will not be persecuted and many intend to put his promise to the test.

Too generally indeed has entrance to power in Nicaragua been used primarily as an opportunity to revenge one's enemies while enjoying the spoils of government unembarrassed by a Civil Service Reform League. Indeed these considerations have always outweighed all others, perpetuating thereby a political feud more intense and more enduring than in the other republics of Central America. In this unfortunate fact lies the reason why Nicaragua has seized and held the limelight, as far as the United States is concerned, since the filibustering William Walker sailed from California to "regenerate" its backward population.

The peaceful change in party control came as a consequence of the election held on November 4 under American auspices. Readers will remember that the disastrous revolution of 1926–27 had been called off on the promise of the United States to supervise a "free" election in 1928. The promise was that an American could serve as the chairman of every election board with a deciding vote in all cases. At the request of the Nicaraguans themselves, who said that the Marines were so much fairer than other Americans who visited their country, specially selected non-commissioned officers and enlisted men became the precinct chairmen.

Departmental chairmen and the headquarters staff were for the most part chosen from the Army. Having had experience in Latin countries and having been picked because of ability and sympathetic temperament, they were able to settle complaints and iron out difficulties to the complete satisfaction of both parties. After the election the defeated candidate telegraphed his congratulations to the victor and by this simple act smashed another century-old precedent.

For the most part the election was conducted along the lines prescribed in the law which I drafted in 1922. Personal registration was required of all. The ballot was official and secret. (In the old days each party printed its own ballots and the party in power counted them.) Opportunities for challenges and appeals were provided. The Guardia Nacional had replaced the old army and police. Organized and disciplined on a strict non-partisan basis, it removed many of the iniquities and abuses of old-fashioned elections. Aguardiente, the national drink with a kick, was controlled to prevent wholesale withdrawals for electioneering purposes, and the sale of all liquors was prohibited on registration and election days. Election day was consequently so quiet and sober that there was little fun in it for "active" partisans.

Of course rumors of fraud, violence and uprisings were many. But each complaint, no matter how trivial or imaginative, was investigated and the findings reported to the complainant. General McCoy, the chief of the mission, was the soul of courtesy and patience. These qualities, which he successfully communicated to his assistants, explain why both sides went to the polls in an honest effort to win. Former practice had been for one side or the other to take little part in an election, sometimes formally "abstaining." That this habit did not hold last November is sufficient tribute to the good faith and honor of the American supervision.

Every male Nicaraguan over twenty-one years of age has the right to vote; if he is married or can read and write he may vote at eighteen. Although there were 432 voting places many had to walk miles to cast a ballot. Fearing that some would try to repeat (for it is often difficult to identify Indians with no very fixed abiding place), both sides insisted that the voters be marked with an indelible stain as soon as they cast their ballots. We soon discovered that there is no indelible stain which is harmless to the skin, and it was in considerable trepidation that General McCoy agreed to the proposal on the condition that he might keep the name of the material secret. So every voter dipped his thumb and forefinger in mercurochrome, and instructions were published that any exceptionally clean or bleached finger would be *prima facie* grounds for arrest. Fortunately no case of an attempt to vote twice was reported.

It having been proved that a free electoral atmosphere can be maintained in Nicaragua, I have become optimistic respecting Chicago. Of the five hundred Americans who officiated in Nicaragua it was necessary to remove but two for incompetency or misconduct. Here is a reservoir of talent which Chicago might tap. And for peace officers she might call in the Nicaraguan National Guard.

H. W. Dodds.

WHAT P. R. HAS DONE FOR CINCINNATI[1]

BY HENRY BENTLEY

President, Cincinnati Charter Committee

Heralded as the friend of minorities, P. R. has given majority representation to the real majority group in Cincinnati. :: :: ::

PROPORTIONAL representation has rivaled the romances of modern chemistry in its utilization of by-products. You are all familiar with the instances where the chemist, seeking the isolation of a given substance, has found, after success has crowned his experiment, that the residue left in the test tube was of greater commercial value than the substance of his original search. The present-day marvels of the chemical industry have resulted largely from the utilization of by-products. Most great discoveries have been accidental. Even those inventions that have been the direct result of research have frequently developed uses which the inventor had not originally perceived.

REAL MAJORITY SECURES MAJORITY REPRESENTATION

Proportional representation, in the same manner, has conferred benefits not originally planned. Devised as a method of voting that would give the minority equitable representation, the system in practice has demonstrated its greatest service in giving to the majority its proper majority representation. When the charter of the city of Cincinnati was changed and proportional representation placed in the organic law, it was urged, as a reason for the change, that it would afford proper representation to the minority. At that time, in 1924, the council of the city of Cincinnati consisted of thirty-two councilmen, twenty-six elected by wards and six at large. Thirty-one of these councilmen were members of the Republican organization; one lone councilman was the representative of the minority. This representation had resulted from an election held in 1921 in which the Republican candidates polled 69,005 votes, and their opponents, 62,540 votes. A similar disproportion between the votes cast and the resulting control of political government had continued in Cincinnati for many years. The proponents of proportional representation urged the adoption of the city charter amendment on the basis that proportional representation would prevent such gross inequality and would give proper representation to the minority.

THE REPUBLICANS HAD BEEN MINORITY FOR FORTY YEARS

The result of the first two elections in Cincinnati under proportional representation demonstrated that that promise was true; but the by-product of the experiment was vastly more useful than the direct object sought. Before the first election under proportional representation was held in 1925, it had been thought that the Republican organization in Cincinnati represented a large majority. For forty years, from 1884 to 1924 with minor exceptions, that organization had controlled the city government. During all of those years, elections had been conducted under the so-called majority system. After the first election under propor-

[1] Address delivered at the annual meeting of the Proportional Representation League, Cincinnati, Wednesday, October 17, 1928.

tional representation in 1925, the public was astounded to find that under the fair system of determination afforded by proportional representation, the Republican machine was the real minority. Proportional representation had demonstrated its claim to give the minority representation proportioned to its strength by securing the election of three representatives of the Republican machine. The Republican machine was the minority, and it received minority representation. The election in 1927 still further demonstrated this fact. In the 1925 election, the Republican machine elected three councilmen, 33⅓ per cent of the council. In the 1927 election, it elected two councilmen, only $22^2/_9$ per cent of the council.

Before the introduction of proportional representation in Cincinnati, the plan of voting under the so-called majority system permitted the control of government by a minority. The first election under proportional representation in 1925 demonstrated how completely the old system of voting had been misnamed when it was styled the majority system. The last two elections in Cincinnati have conclusively demonstrated that the once vaunted majority is, and probably always has been, a minority disguised as a majority by an unfair and fallacious system of counting the vote.

REPUBLICANS CONTROLLED PRIMARY ELECTIONS

Under the old system the Democrats and the Republicans apparently contested the election. The party receiving the majority of the votes elected all of its candidates and apparently the majority controlled the government. As a matter of fact, however, the candidates whose names appeared on the ballot under the Republican and Democratic emblems had to be first selected at another election, the primary. At that primary a majority vote was not required for selection. If there were more than two candidates, a mere plurality was sufficient to secure the nomination. The machine had under its control all of the office-holders of the city and county. These office-holders were bound to vote as the machine directed. Five thousand employees of the city of Cincinnati and seventeen hundred employees of Hamilton County constituted a standing army of workers sufficient to control any primary election. If each office-holder could control one and one-half votes besides his own, this assured a vote of over 15,000 for the machine candidate. For forty years, from 1884 to 1924, 15,000 votes were sufficient to control the selection of candidates at every primary election in Hamilton County.

Under this system, if anyone seriously contested the machine candidate for nomination, it was very easy to nominate a third, fourth, or even a fifth candidate to split the vote. Since merely a plurality was required, the machine, by consolidating the votes of its employees upon one candidate, could insure his election. Furthermore, the primaries were held in August when a large portion of the voting population was absent from the city, and under these circumstances, candidates were selected regularly by a very small minority of the voters. This peculiarity of the so-called system of majority voting is directly responsible for the existence and continuance of the machine system of politics in our large cities.

P. R. ELIMINATES PRIMARIES

The system of proportional representation does away with the necessity for a primary. It removes one more hurdle from the obstacle race that political machines have devised to prevent the majority from selecting its

representatives for governmental positions. By the system of the single transferable vote, proportional representation has abolished the danger of the independent vote being split among many candidates. By combining the primary and general elections and permitting any person to run for the city council who can secure five hundred signatures to his petition, proportional representation has made it possible for the majority of the voters to elect the majority of the council.

THE CITY CHARTER COMMITTEE SUSTAINS CITIZEN INTEREST

In Cincinnati, immediately after the system of proportional representation had been adopted, and one year before the first election under that system, an organization was formed to put in effect the new system of voting. This organization, the City Charter Committee, taught the public how to use the new system, persuaded candidates fit for the office to run for council, and enlisted support in their behalf. It has successfully conducted two campaigns and has twice elected six out of nine members of the council. My answer to the question, "What has proportional representation done for Cincinnati?" would be that it has afforded an opportunity for citizens to unite and secure for themselves good government. Proportional representation did not automatically produce good government; but by the device of the single transferable vote, it combined the primary with the general election. It compelled the citizens as a whole to take part in the selection of candidates, and this of itself removed the greatest obstacle to good government, the power of an organized minority to control the selection of candidates.

Of course, it is possible for the citizens to take no more interest in the general election than formerly in the primary. If this is the case, government under proportional representation will show little improvement over government under the old system. The difference between the success of the system of proportional representation in Cincinnati, and its comparative failure in some other cities, is due solely to the degree of citizens' interest. Cincinnati organized a City Charter Committee to keep alive the interest of its citizens. Proportional representation, by demonstrating to the voter that his or her vote counted, has made it easier to maintain that interest. To secure good government requires good men in office, and to elect good men requires citizen interest. In Cincinnati, with proportional representation and the City Charter Committee, we have secured good councilmen, an excellent city manager, and splendid government.

OUR AMERICAN MAYORS

XV. MURRAY SEASONGOOD OF CINCINNATI

BY RUSSELL WILSON

Associate Editor, Cincinnati Times-Star

A leader of the shock troops in the fight for the city manager charter, Mayor Seasongood has become chief of staff. He is the ideal mayor in a city manager form of government. :: :: :: :: ::

MAYOR MURRAY SEASONGOOD

To understand the projection of Murray Seasongood into Cincinnati politics, it is necessary to know something of the political history of Cincinnati for thirty years preceding the overturn of the mayor and ward-council form of government and the adoption of a city manager and small-council form in 1924 by a referendum. Popular journalism, in the form of magazine and newspaper-supplement articles, familiarized the American public with what now seems the crude domination of the Republican party in Cincinnati by the late George B. Cox. But such journalism had passed from popularity by the time that the late Rudolph K. Hynicka succeeded Cox, although Hynicka's domination was quite as great as Cox's, with a difference of technique. And now that Fred Schneller, another ward politician, bestrides the party, little or no attention is paid to him by other than local journalism. Perhaps the comparative neglect is due to a decline in personality.

THE BOSSISM OF COX

George B. Cox was essentially a stupid man, but he had a native force that carried him from ward politician and saloon-keeper in the restricted district to city boss and bank president. He got to know men in the rough-and-tumble days, and his temperament and his experience prompted him to keep his mouth shut and to strike hard. When he rose to greater heights and became a boss who had to deal with business men, he kept his habit of saturnine reticence, and in lieu of physical violence struck hard with job or contract. Cox had a hardly hidden contempt for the business men he dealt with. He knew a sycophant both by instinct and by familiarity with the breed. A senator or a governor or the president of a large corporation was the same to him as a ward or precinct heeler. They were all brothers under the skin, with differing degrees of importance because of differing degrees of political power. The big fellows

wanted to buy power in their big way, and the little fellows wanted to sell power in their little way. So Cox sold by wholesale and bought by retail. But the contempt he felt for business men, combined with his natural stupidity, was Cox's downfall. He became president of a bank. Business men of one kind or another took it away from him. Rather they took the assets from him while he was looking and let the financial temple fall on a stricken Samson, who could see but could not think in terms of legitimate trade.

HYNICKA, THE BURLESQUE BOSS

Then came Hynicka, who had been Cox's first lieutenant. Hynicka had an alert mind and he had personal charm. Whereas the stupid Cox was straightforward in thought and utterance, Hynicka was devious in thought and specious in utterance. The result was that Hynicka's word was not as good as his bond among politicians, and he lacked the one virtue of Cox which henchmen were prone to exaggerate. Hynicka yearned for other fields to conquer. From proprietor of a burlesque theatre in Cincinnati he became head of a burlesque chain, with offices in New York. Despite Hynicka's shrewdness, he was a failure as absentee boss of a city. He was still able to beguile business men, talking to them glibly of the protective tariff when the only protective tariff he was interested in was the tariff paid by gamblers and such for protection. He could do political favors gracefully and graciously. But he could not pick his marshals. Mayors came and went, but a director of public service and a city engineer remained as Hynicka's representatives in the city government. The director of public service did not deserve the public confidence, early lost it, and never regained it. Both his method and his manner militated against him. But Hynicka retained this director of public service through three mayoral terms of eight years. As city engineer he had a man who was neither civil nor an engineer, but he stayed on, hampering his assistants and increasing his own unpopularity and that of his political organization.

Things went from bad to worse under the bossism of the absent Hynicka. Stupid policies were carried out, and stupidity in any form was not characteristic of Hynicka. Observers wondered whether Hynicka's telegrams to his two burlesque organizations in Cincinnati, theatrical and political, had not become crossed and orders been carried out in a spirit of dumb duty.

DEMOCRATIC ADMINISTRATION FOUND WANTING

The people of Cincinnati had been helpless for years. Their only form of protest was to turn the Republican organization out and let the Democratic organization in, and then, after one term of partisan "reform," to invite the Republican organization back to the jobs. The only interval in this vicious seesaw, with more Republican "see" than Democratic "saw," was the mildly Democratic mayoral term of Henry T. Hunt, who as prosecuting attorney had caused Cox's indictment and had made the big boss, hitherto invulnerable, seek sanctuary among technicalities devised by his own judges. Hunt was honest, intelligent and aggressive, but a street-railway strike which he let get away from him caused his defeat for reëlection by a small plurality. So a civic lethargy seized the citizens of Cincinnati. "Let bad enough alone" seemed their slogan of despair. The city was being sacrificed to the grafters and the inefficient.

But relief was at hand. The mount-

ing cost of municipal administration forged a weapon with which the citizenry could strike at officials who were as contemptuous of criticism as they were inefficient. Proposed bond issues had been disapproved at the polls with an emphasis that amounted to derision. And when it became necessary to ask the people for extra levies so that the expenses of current administration might be met, the negative was equally emphatic. The people refused to provide for the present as well as for the future. An impasse had been reached.

ENTER MR. SEASONGOOD

The municipal administration was bewildered. George P. Carrel, the mayor, was equipped to sail the ship in fair weather, but not in fog or storm. He was a genial politician, to whom the study of intricate municipal problems was repellent. Instead of "George doing it," he let others do it, and they bungled it. The politicians became defiant toward public criticism.

Into this situation entered Murray Seasongood. Mr. Seasongood is a member of one of the Jewish families that came to Cincinnati about 1848 and have contributed so much to the culture and prosperity of the city. He was born in 1878, was graduated from Harvard University in 1900, received the degree of A.M. in 1901, and the degree of LL.B. from Harvard Law School in 1903. He entered the practice of the law in Cincinnati and soon became recognized as a young lawyer of great promise, a promise that has been amply realized. In Hynicka's effort to gloss his organization with respectability about twelve years ago, he appointed several prominent citizens to serve on a window-dressing committee. Mr. Seasongood was one of the chosen, but he soon appreciated the futility of his presence on such a committee and resigned.

THE CINCINNATUS ASSOCIATION

In 1921 there was formed the Cincinnatus Association. The organizing meeting was called by Captain Victor Heintz, who has since become prominent in local politics as the able leader of the Citizens' Republican faction, which has consistently and persistently fought the spoilsmen, led first by Hynicka and now by Schneller. The original purpose of the Cincinnatus Association was to instruct its members in public matters. Speakers were to be brought from other cities to expatiate on a variety of subjects. But the Association soon developed its own oratorical power and decided to confine itself to city affairs.

By 1923 the Cincinnatus Association had become a force for municipal good. The public was sitting up and taking notice of these younger men who were constructively criticizing the city government. In November of 1923 a proposal for an extra levy was to be submitted to the voters. Loud was the clamor of the gang orators. Stentorian appeals were made to city pride. At a meeting of the Cincinnatus Association Mr. Seasongood, a member, made a report on the proposal for an extra levy. It was a report, replete with data, but it was also a superb campaign speech. Mr. Seasongood is an excellent speaker, felicitous in phrase and cogent in logic, with an uncanny ability of resurrecting the apt anecdote. He hit the extra levy with the bludgeon of humor and stabbed it with the rapier of wit. Amid jeers of the populace, it retreated, a wounded and hunted thing.

SEASONGOOD DEBATES WITH THE ENEMY

The situation was desperate. The gang brought forth their Prince Ruperts of oratory, and sought to answer

what Mr. Seasongood called "the shot heard 'round the wards." Then, by happy chance, one of the orators challenged Mr. Seasongood to a series of debates. All his opponent had to say was the stuff that had become trite through repetition at previous extra-levy referenda. Mr. Seasongood had something new to say and said it well. His figures, both of speech and of fact, confirmed public suspicion of official ineptitude or worse. When Mr. Seasongood's opponent was in full retreat, the gang brought up its heavy infantry, the ward workers, who organized a vigorous claque. At one meeting these claquers noisily left the hall as Mr. Seasongood rose to speak. They had applauded his opponent with the éclat of hard hands and heads, and they did not care to hear the doctrines of the enemy. Mr. Seasongood stood patiently as the boisterous feet reverberated out of the hall. After this strange recessional, he quietly began: "The tumult and the shouting dies, the captains and the kings depart."

THE CINCINNATI CHARTER COMMITTEE

After the defeat of the extra-levy proposal, rigor mortis seized the city administration. The politicians became quite as discontented as the citizens. There were few contracts and therefore few "perquisites" of office or bossism. The Cincinnatus Association had started a "birdless ballot" movement. Public sentiment for some fundamental change had been engendered, and this was taken over by a charter group, under the leadership of Henry Bentley, a prominent member of the Cincinnatus Association. Instead of merely a "birdless ballot," proportional representation was advocated, by which nine councilmen were to be elected at large, and they in turn were to choose a city manager at a salary of $25,000 a year. The councilmen, who were to receive $5,000 a year, were to elect one of their number as mayor, with $1,000 as added salary.

The old council consisted of twenty-six members elected from wards and six elected at large. It was misrepresentative of the citizens of Cincinnati. It was unintelligent and incapable of municipal aspirations. Its quality may be gauged by the character of the chairman of the committee on light, which had important utility contracts within its jurisdiction. He was an illiterate saloon keeper, who later turned state's evidence in the federal court against prohibition officers whom he had bribed, and whose place of business was finally padlocked. Yet the reports of the committee on light, signed by its chairman, were replete with technical terms and were "caviare to the general." Not being in his lingo, they doubtless were even more esoteric to the chairman. Where did he get his terms? Nay, where did he get his report?

THE SUCCESSFUL CAMPAIGN FOR CITY MANAGER CHARTER

Under the leadership of the charter group, headed by men like Henry Bentley, its chairman, Mr. Seasongood, Victor Heintz, Ralph Holterhoff, John D. Ellis, and Laurence Witten, the proposed charter was adopted by a vote of 92,000 to 41,000, or about 2¼ to 1. Mr. Seasongood did valiant work. There is real personal sacrifice when a lawyer with Mr. Seasongood's highly active practice throws himself into a municipal campaign like the charter election. The gang was deeply intrenched in the court house as well as in the city hall. And there are many unscrupulous things, big and petty, that a political organization in power can do to a lawyer who fights it hard. This was especially true at the time that

Mr. Seasongood led the fight for the charter. The selection of jurors was largely a matter of gang patronage, a condition that has been relieved at least temporarily by the scandal of the Remus jury of gang personnel, which tried to outdo a gang sheriff in treating a notorious bootlegger, who had cruelly killed his wife, as a transient state guest to whom the honors of the occasion were due. This jury system was a menace to Mr. Seasongood and his clients. Other forms of reprisal were devised by ingenious politicians. But Mr. Seasongood can become quite as indignant at petty tyranny as he can at gross corruption or inefficiency. So he decided to fight on, to follow through on a stroke of which the charter referendum was only the stance.

THE NEW COUNCIL

Mr. Seasongood became one of the nine charter group candidates for council. Six of these candidates were elected. They included, besides Mr. Seasongood, former Judge Edward T. Dixon, former Judge Stanley Matthews, Tylor Field, Charles O. Rose and Julius Luchsinger. Judge Dixon and Judge Matthews were Democrats, and the four others were Republicans. Mr. Field was president of a large construction company and represented the best in Cincinnati's business and social life. Mr. Rose had been the one efficient oasis in the desert of the old council. He is honest, is a lawyer of ability, knows the city government thoroughly, and is an indefatigable worker. Mr. Luchsinger represented union labor, and did not run again. Judge Matthews is one of the ablest lawyers in Cincinnati, and Judge Dixon is both popular and a speaker of very real appeal. Judge Dixon led in the count, Mr. Seasongood being a close second.

The Republican organization elected three. Fred Schneller, who is now the boss, was a member of council years before and for sixteen years had been clerk of council, acting as liaison officer and interpreter between its less astute members and the interests of the outside world. With him were elected Martin Daly, present plumber and former councilman and county commissioner, and Charles Lackman, who ran well because of the reminiscent spell exercised by the name of Lackman, which had been that of a very popular beer. Mr. Lackman sells ice cream, and is no relation to the erstwhile brewing family.

THE CHARTER GROUP RETAINS CONTROL

The election of councilmen showed an advance of the charter group in popular appeal. The ratio was almost 2½ for the charter candidates to one for the organization candidates. Mr. Schneller stood third in the first count, but was the fifth to be declared elected. Two years later, in 1927, six charter candidates were elected, Mayor Seasongood, Mr. Field, Mr. Rose, Judge Matthews and Judge Dixon being reelected, and Charles Eisen, a banker and retired manufacturer, being the sixth charter councilman. Only two organization candidates, Mr. Schneller and Mr. Daly, were elected. The ninth councilman is former municipal Judge Yeatman, who ran as an Independent. He is a Republican. In this election of 1927, Mayor Seasongood's name assumed the Abou Ben Adhem position. Mr. Schneller, who had become the recognized boss of the Republican organization, was the recipient of the intensive vote controlled by ward and precinct workers and was a good second. The still popular Judge Dixon was third. The ratio of 2½ to 1 in the vote was more than maintained by the charter candidates.

SEASONGOOD IS A FEARLESS LEADER

So much for the facts of Cincinnati's political revolution. Through the interstices of this chronicle something of Mayor Seasongood's character and personality has peered. There can be no question as to the quality of the work he has done for his city. Most of his enemies, and he has many, both personal and political, will admit his achievement and the courage and intelligence that made it possible. But the animosity displayed toward Mayor Seasongood in many quarters was inevitable. Mayor Seasongood is leader of a group of men and women who have crashed the gates of dirty privilege and of the smug complacency in business and among lawyers that connives at political dirt. He has been a bull in a china shop who has also kicked out the show windows. The effect on the show windows accounts for much of the respectability that there may be in the opposition to Mayor Seasongood. He is not popular with men who believe that rotten city and county government is the price which citizens should pay for the maintenance of a national party organization. These phenomena are not exclusively Republican. They exist in Democratic cities. Such men are indispensable to a local political organization, for behind their looming and obscuring backs graft and crooked voting and other political obliquities are accomplished. These men range from the lesser business men and lawyers to the big fellows, potential ambassadors with whom hope springs eternal in their pocketbooks. Mayor Seasongood's single purpose to give his city good government has not been pleasant to these men. They sigh for the days of Cox or Hynicka, when their public complaisance received recognition, often to their private emolument.

SEASONGOOD AND SHERRILL—THE IDEAL WORKING COMBINATION

Mr. Seasongood's conception of the mayoralty is not that of the figurehead usually accepted under the city manager form of government. He has refused to be merely ornamental. Yet no mayor could have more scrupulously abided by the theory of an unhampered city manager than has Mr. Seasongood. He has in no way interfered with Colonel Clarence O. Sherrill, the city manager, during the three years of his incumbency, and has assisted greatly in defending the city manager's jurisdiction from political raids. Mayor Seasongood's leadership is not owing to patronage or to the political privileges that often emanate from a mayor. It is entirely a moral leadership.

THE MAYOR AS A LEADER

He has thrown mud, but he has gotten it from the figures of his targets. His own hands are clean except when they are subdued, like the dyer's hand, to what they work in. And sometimes Mr. Seasongood has been a poor judge of mud, mistaking common clay, that has grown politically sloppy, for dirt. But he has hit a number of citizens hard with their own misdeeds and in such manner that the bespattering won't come off. It was something that had to be done if corrupt leadership and smug connivance were to be fought.

Above all, Mr. Seasongood aroused good citizens from their lethargy. They were without hope until the charter movement, of which Mayor Seasongood has been a leader, got under way. Now they have hope and the city government. Mr. Seasongood's critics are still clamant, but all they can say is that he has the petty defects of his great qualities. He has the irritability of a sensitive tempera-

ment and an intense sincerity. If at times he makes the judicious grieve, the judicious never doubt the man or the mayor. He is perhaps too much of an individualist for work that should be accomplished through coöperation. But politically he is "sans peur et sans reproche." He possesses ideals and he has imparted ideals. And he does not see why they should not be lived up to.

One achievement of Mayor Seasongood's that not even his enemies deny is being the original Colonel Sherrill man in the new city government. After six of the candidates nominated for council by the charter group had been elected, the naming of a city manager became an acute problem. The people had adopted the charter and had elected six of the candidates of the charter's proponents. But would these votes of confidence be justified? Would the city charter group be able to suit municipal action to its many words? Mr. Seasongood quietly went to Washington, where he groped his way among possibilities until a good fairy led him to Colonel Sherrill of the Army engineers, who had been assigned to administrative work in the city government of Washington.

THE ACHIEVEMENTS OF THE CITY MANAGER

Colonel Sherrill was elected by council and undertook the "noble experiment" of giving Cincinnati a hundred cents' worth of government for every dollar of taxes. To say that he has succeeded is to put it mildly. Citizens have been given good streets at comparatively low cost, and like both the streets and the cost. Contractors have been given a square deal, and even the favorites under former impossible specifications are not averse to "The Colonel." The whole city has been toned up.

From being the worst governed city in the United States, Cincinnati has become the best governed. Superlatives are usually unjustified, but "worst governed" and "best governed" are truly applicable to the Cincinnati of five years ago and the Cincinnati of today. A Cincinnatian of five or seven or ten years ago was a citizen ashamed. Today he is a citizen proud. And the strange part of it all, to a cynical political observer, is the apparent unanimity of approval given Colonel Sherrill's administration.

THE MAYOR TAKES THE BRICKBATS

This apparent unanimity is partly due to Mayor Seasongood. He has drawn much of the fire that would have been directed against Colonel Sherrill if the boys with the brickbats had not been busy hurling their limited supply at the head of His Honor, the Mayor. And there are some who give lavish bouquets to Colonel Sherrill with one hand, and with the other project jagged brickbats at Mayor Seasongood. The mayor is quite content that it should be so. He realizes the value of the deserved praise that doth hedge the city manager, and gladly accepts a brickbat for the mayor as compensation for a bouquet for the colonel.

CITY MANAGEMENT PERMANENT IN CINCINNATI

What of the future? The real issue in future municipal elections will be Sherrillism against Schnellerism—Sherrill of municipal ideals and efficiency against Schneller, the boss of sordid traditions. The gang has the court house and the apostles of good government have the city hall. The unanimity in favor of Colonel Sherrill is apparent, not real, although the great majority of citizens favor the retention of Colonel Sherrill and the form of government that has made his

honesty and efficiency possible to Cincinnati. Mr. Schneller and his satellites, like state Attorney-General Gilbert Bettman and state Commerce Director Ed Schorr, are only biding their time. In fact, Mr. Bettman is still blathering about the present form of government's being a departure from "our institutions."

These men and their army will move on the charter when they think that the strategic moment has arrived. When they do, the man whom they will most fear is Mayor Seasongood. He helped to give the city its present form of government, and he will not permit it to be taken away without raising his puissant voice in its behalf. And I doubt that these raids on the charter will be successful. The efficiency of Colonel Sherrill has become a fine tradition in a city that has found itself, and the municipal government of five years ago was so awful that its memory will long be vivid. An invidious comparison will inevitably do its work at the polls.

As a rule I am opposed to monuments. But some day Cincinnati should raise one to Murray Seasongood, a cultured gentleman who imparted his political ideals to his fellow citizens. He has suffered some of the pains of a prophet, but he is not nor shall he be without honor in his own city.

PUBLIC OPERATION VERSUS STATE REGULATION: TWO HYDRO-ELECTRIC SYSTEMS COMPARED

BY JAMES MALCOLM

Editor, State Service, Albany, N. Y.

The achievements of the Ontario hydro-electric power system, a powerful argument for public ownership and operation. :: :: ::

For the first time in our history, the water power or hydro-electric question was, during the past year, among the most conspicuous of those discussed in a presidential campaign. While not exactly an issue between the two major parties, since it ran across both Republican and Democratic organizations, it will unquestionably be a political bone of contention until a satisfactory solution has been found.

For more than twenty years there have been conducted side by side, in the state of New York and in the province of Ontario, Canada, two radically different methods of producing and distributing electrical energy. They might well have been chosen as rival experiment stations to determine which, in the course of years, was the better in serving the public. As it happened, they came into being about the same time and from time to time the Ontario system has been cited as an example. Briefly stated, they are:

In New York state, private development under state regulation of rates and service.

In Ontario, public development by coöperating municipalities and communities, supervised by a non-partisan provincial commission.

What has been the net result of

these systems, after twenty years' operation? It seems to the writer that the facts not only should speak for themselves, but might point the way to a solution of what continues to be a difficult problem in the United States.

IS REGULATION A SUCCESS?

Because of the natural aversion of many Americans to government ownership and operation of any business, whether it be monopolistic or competitive in character, the public seemed to be willing to resort to any other workable means of controlling public utilities. For many years there was little or no control of these enterprises; but when abuses multiplied, due to dishonest capitalization and similar causes, a demand came for strict regulation. It was in 1907, during the first term of Governor Charles E. Hughes, that our present public service system was created. Two commissions of five members each were brought into being, each of the ten members to receive a salary of $15,000 a year.

When the law was enacted twenty-one years ago, it was hailed as the remedy for a growing evil by the public generally, but opposed by the utilities to be regulated.

Without citing specific instances to prove that regulation has fallen far short of fulfilling the hopes of its advocates, it is enough to say that it has given little or no relief to the public so far as the larger utilities are concerned. By many who have studied the question, regulation in New York and nearly every other state has been declared a failure. More important for the present purpose is the outstanding fact that twenty-one years of state regulation of electrical rates have not resulted in substantial decrease either for domestic or industrial consumers; while across the national boundary in Ontario, under a publicly-owned and operated system, the rates are from one-quarter to one-third of those paid in New York state. After all, the service, the rates, and the soundness of the financial structure constitute the supreme test.

THE ACHIEVEMENTS IN ONTARIO

The writer has visited Ontario annually for the last twenty years and has watched with increasing interest the development of the hydro-electric system there from its inception. On several occasions he interviewed the late Sir Adam Beck, founder of the system, to learn his plans and hopes, and especially to ascertain how he expected to carry them out without interference from politicians, something which continues to be feared by many sincere opponents of public ownership in the United States. Sir Adam said:

> We have never had any trouble of that kind, although we are constantly on guard against the possibility of political interference. At the beginning, obstacles were put in our way by private companies after they became convinced that the league of municipalities meant business. They were amazed and alarmed at the rapidity with which the plan grew. But that policy of obstruction ceased as soon as it was demonstrated in a perfectly open and above-board way that our theory worked out in actual practise; that instead of supplying electricity only to a restricted area near Niagara Falls and at high rates, we were able at once to cut the rate in two and transmit power to all parts of the province, to small and large consumers, to large cities, to hamlets, and even rural districts at lower and lower rates. When people saw what could be done by cities and communities, thus coöperating, we didn't have much trouble from the private companies or the politicians for the simple reason that every patron of hydro became alive to the importance of protecting it.

That was eight years ago, when the number of municipalities and communities had increased from twelve in 1910 to about 250 in 1920. Today they number between 500 and 600, all united

in the enterprise of generating electricity and transmitting it at cost to their members at the four corners of the province, plus the usual amounts to maintain and replace the generating and transmission plants.

It should be remembered that outside the few large cities, the province of Ontario, with a total population of about 3,000,000, is very much more sparsely settled than is New York state. The economies, therefore, for distribution are decidedly on the side of the latter.

RATES IN NEW YORK AND ONTARIO COMPARED

The Public Committee on Power in New York State, a nonpartisan committee aiming to protect the interests of small consumers, recently prepared the following table comparing rates for domestic consumers in this state and in Ontario:

I Ontario city with population	II Average monthly service (kw. h.)	III Average monthly bill	IV Adding one cent allowance per kw. h. to bill	V Cities in New York state of similar size	VI Cost of same amount of service monthly	VII Difference per month, after allowance	VIII Difference per year, after allowance
Brantford 28,010	122	$1.84	$3.06	Kingston	$7.68	$4.62	$55.44
				Mt. Vernon, White Plains	12.34	9.28	111.36
				Cohoes	8.10	5.04	60.48
			*2.21	*Lockport	4.24	2.03	24.36
Chatham..... 14,120	71	1.50	2.21	Middletown	7.42	5.21	62.52
			*1.71	*Batavia	3.27	1.56	18.72
Galt..... 12,690	132	2.37	3.69	Glen Cove	13.65	9.96	119.52
				Johnstown	13.20	9.51	114.12
				Oneida	12.17	8.48	101.76
				Watervliet	14.48	10.79	129.68
Guelph..... 19,220	79	1.48	2.27	Gloversville	7.90	5.63	67.56
Hamilton..... 122,240	109	1.74	2.83	Utica	7.15	4.32	51.84
				Syracuse	6.49	3.66	43.92
				Richmond, Borough of	5.91	3.08	36.96
Kitchener 24,800	131	2.07	3.38	Amsterdam	11.79	8.41	100.92
Kingston..... 21,600	49	1.54	2.03	Ogdensburg, Oswego	4.41	2.38	28.56
London..... 63,340	116	1.77	2.93	Schenectady	5.84	2.91	34.92
				Binghamton	5.74	2.81	33.72
Niagara Falls.. 16,800	208	2.54	4.62				
Ottawa 118,090	179	1.75	3.54	Albany	14.32	10.78	129.36
				Yonkers	15.32	11.78	141.36
Owen Sound... 12,230	65	1.25	1.90	Cortland	5.28	3.38	40.56
				Fulton	3.63	1.73	20.76
				Hudson	5.85	3.95	47.40
			*1.45	*Tonawanda	4.05	2.60	31.20
Peterborough .. 21,730	66	1.43	2.09	Poughkeepsie, Newburgh	6.60	4.51	54.12
Port Arthur ... 17,020	120	1.80	*2.16	*North Tonawanda	4.05	1.89	22.68
St. Catharines.. 21,810	124	1.70	2.94	Rome	5.36	2.42	29.04
St. Thomas.... 17,150	93	1.50	2.43	Hornell	9.80	7.37	88.44
Sarnia..... 15,600	81	1.69	2.50	Geneva	6.88	4.38	57.36
				Glen Falls, Saratoga Springs	7.29	4.79	57.68
Stratford.. ... 18,890	147	2.73	4.20	Corning	11.69	7.49	89.88
				Ithaca	17.64	13.44	161.28
Toronto..... 542,190	94	1.63	2.57	Rochester	4.91	2.34	28.08
				Bronx, Brooklyn, Manhattan	6.58	4.01	48.22
				Queens, Borough of	7.52	4.95	59.40
			*2.91	*Buffalo	4.36	2.44	29.28
Welland..... 8,940	114	1.88	3.02	Canandaigua	5.13	2.11	25.32
				Mechanicsville	11.31	8.29	99.48
				Norwich	15.96	12.94	155.48
Windsor..... 52,640	125	2.32	3.57	Auburn	9.95	6.38	76.56
				New Rochelle	12.62	9.05	109.10
				Troy	10.00	6.43	77.16
			*2.70	*Niagara Falls	5.40	2.70	32.40
Woodstock 10,120	125	1.91	3.16	Oneonta	15.98	12.82	153.84
				Plattsburgh	14.55	11.39	136.68
				Rensselaer	7.90	4.74	56.88

The twenty-one Canadian cities listed above are typical of the 500 odd cities and villages supplied by the hydro system. If you are a resident of

a city in New York state, place your finger on the village or city you reside in, or one similar in population, and then refer to the Ontario city opposite for comparison of monthly bills in columns III and VI, for exactly the same service. In column IV one cent a kilowatt is added to the Ontario bill for the greater taxes paid by private companies, considered a liberal allowance. Starred cities get cheap power because they are near Niagara Falls even though three mills are added for state and local taxes, also considered a liberal allowance.

Columns VII and VIII show the excess per month and per year paid by New York consumers over those in Ontario.

Cheapness of electricity in Ontario naturally increases the consumption there. In this country the average monthly consumption in homes is 31½ kilowatt hours, while in Ontario homes it is 98, or more than three times as much.

POWER BOUGHT FROM PRIVATE COMPANIES

At the outset, when only twelve municipalities were members of the plan, electric power was bought from three private companies at Niagara Falls on the Canadian side of the river, the commission erecting transmission lines and selling the energy to the cities. The wholesale price paid the companies was $9.40 per horse power for the first 20,000 horse power, and $9.00 per horse power above that quantity. These were considered low rates even at that time. The commission, acting for the cities, a few years afterwards acquired the private companies and erected farther down the river what is known as the Chippawa-Queenston generating plant, with 100 feet more head than at the Falls, and one of the largest in the world (Figure 1). The water for this station is taken from the Niagara River above the Falls and diverted through a canal a distance of eight miles to a point near Queenston where the power is generated over a head of 300 feet. Sir Adam Beck pointed out to a committee of Congress, at Washington, that, whereas in this one plant at Queenston the commission was generating 550,000 horse power at a capital expenditure of about $25,000,000, a similar power opportunity on the American side continued undeveloped by the private corporation which owned it. He argued that it was one of many examples to prove that private initiative does not appear to equal the intitiative of a commission acting for the public.

TWENTY-TWO PUBLICLY-OWNED GENERATING STATIONS

Twenty-two generating stations, including those at Niagara Falls, are owned by the league of municipalities. These and the transmission lines are administered by the commission.

The greatest distance over which power is transmitted by the commission is 250 miles between Niagara Falls and the city of Windsor, across from Detroit, Mich. Prior to the advent of the publicly-owned plant domestic consumers paid to the Edison company of Detroit 12 cents a kilowatt hour. This was immediately reduced to 4.9 cents in 1915, the first year Niagara power was transmitted to Windsor; and year by year it has gone down until it is now 1.7 cents. One result of low-priced power in Windsor is the use of nearly 8,000 electric cooking ranges in a population of about 56,000. Domestic consumers, as another result of cheap power, increased in number from 1802 in 1914 to 13,464 in 1926, more than seven times in twelve years.

Commercial light service in Windsor was reduced from 8 cents to 2.2 cents

in the same time, the number of consumers increasing from 257 to 1703.

LARGE CONSUMPTION PER CAPITA

One striking feature of the Ontario system is the greatly increased use per capita of power for all purposes. When Toronto was linked with the publicly-owned system in 1912, it began with 11,441 domestic consumers in that city. the publicly-owned system reduced the rate the first year to 4.4 cents, the private company had to meet this rate. Ten years later the provincial commission, acting for the coöperating municipalities, bought out the private company. The rate per kilowatt hour in 1927 was 1.7 cents for domestic service, or less than one-fourth that charged in 1912 by the Toronto company. The

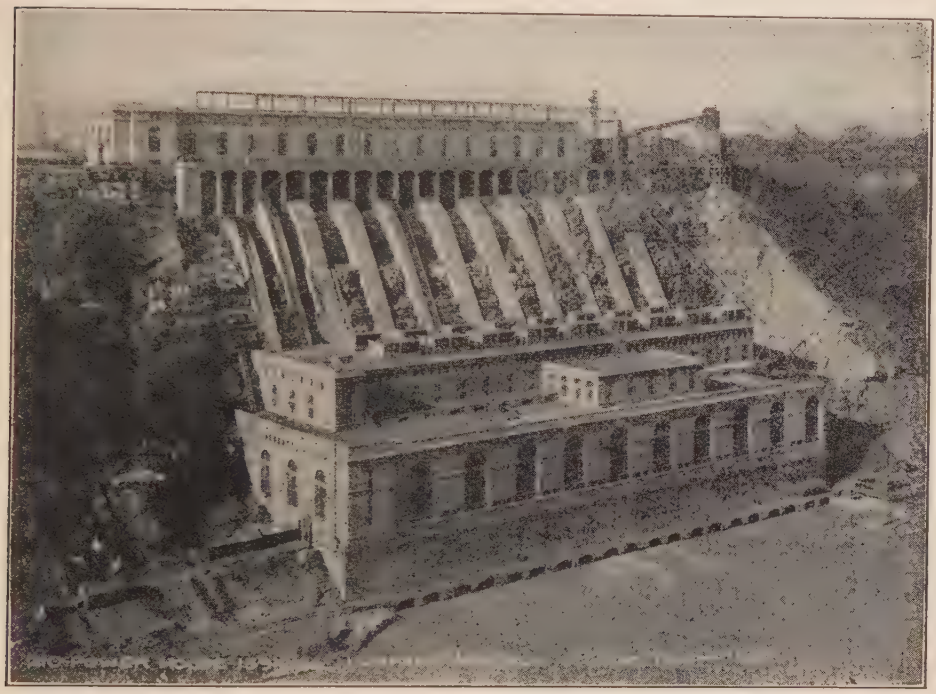

FIGURE 1

At the end of 1927 there were about 130,000, or nearly twelve times as many. During the same period commercial light patrons increased from 4,764 to 21,235, and industrial power users, from 11,959 to 152,801.

When the new system began to deliver power in 1912, it was in competition with the Toronto Power Company, a private corporation which was charging 8 cents a kilowatt hour, plus 25 cents a month for meter rental. As average monthly bill to domestic consumers is now $1.63, and the average monthly consumption, 94 kilowatts. In 1913 the average monthly bill was $1.25 and average consumption 25 kilowatts. That is to say, the consumer of 1913 used less than a third of the electricity now used and his monthly bill is only slightly increased.

And so it goes in the 550 cities and communities in the province served by the hydro-electric commission—the

consumption per capita has been tremendously increased while the prices have dropped to their present low level. It should always be borne in mind that these low rates include sufficient not merely for the usual upkeep and operation, but for paying off all indebtedness, and for replacing the plant in about thirty years. Many of the muncipalities have already done this in less than twenty years.

So great is the demand for power in Ontario that the commission, pending an agreement with New York state for development of the St. Lawrence River, purchased from the Gatineau Power Company, a private corporation in the province of Quebec, 260,000 horse power generated on the Gatineau River, for distribution in Ontario. On October 1, 1928, the first block of 80,000 horse power was turned on. The power is transmitted about 230 miles to Toronto, where it is transformed for transmission on the Ontario lines.

CHEAP POWER FOR THE FARMERS

The rural service rendered by the Ontario commission is one of which the province is proud. It is a service not only to farmers and residents of sparsely settled districts, but to little hamlets and the smaller villages all linked together coöperatively. One has only to look at a map of Ontario, indicating the transmission lines and developing centers, to know how widely power is distributed. These small settlements could not hope, at least for many years to come, for cheap power in abundance under privately-owned plants. Almost from the start of the Ontario system in 1910, the commission began to serve rural districts near cities and villages; but it was not until 1920 that the movement was given impetus. What are known as "rural power districts" were then charted until now the rural main power lines, totaling over 3,000 miles and ramifying the agricultural sections of the province, have been constructed and already serve 25,000 rural customers.

On account of the expense of building power lines in sparsely settled regions, the Ontario government, beginning in 1921, passed a law to pay half the cost of "primary lines," and thus make the power cheaper to rural residents. This is the only departure from the policy requiring consumers to pay all the cost of generating and delivering the power as well as all other expenses in the operation of the system. Needless to say, the small cost, thus borne by the taxpayers of the province, brings inestimable comforts to the rural resident which he could not otherwise enjoy. Aside from this small assistance, each rural district, meaning the consumers, pays its own cost of operation, administration, and maintenance of the lines. Unlike the municipalities, the rural districts are administered directly by the provincial commission instead of by a local body.

FARMERS COOK WITH ELECTRICITY

Ontario farmers, especially those with the larger farms, find it profitable to cook with electricity. In the main they have as many household equipments for electrical use as do the city residents. A typical dairy farm installation is described as comprising lighting, cooking range, vacuum cleaner, clothes-washer, electric iron and toaster, compression water system in basement operated automatically, large refrigeration unit, milk cooler, milk-bottle washer, fodder cutter in barn, and in addition the current is used for charging automobile batteries and inflating tires. The electric bill for three months on this typical farm was $25.46 net, plus $8.45 for service charge. This makes the service a trifle over $11 per month.

NEW KIND OF PUBLIC OWNERSHIP

The origin and growth of the Ontario hydro-electric system proves, among other things, that it is essentially different from the public ownership and operation usually visualized in the public mind. Here are some of the differences:

It is based on the initiative of municipalities, and not on any primary move of the provincial government.

It is voluntary with these municipalities, either to accept or to reject by popular vote, electric power supplied by the coöperating cities.

A commission composed of representative business men and technical experts, five in number, constitutes the supervisory and advisory body of the union of cities. These commissioners are appointed by the provincial parliament.

Each coöperating city or village of any size employs a power manager subject to the control of the common council or other governing body. When the community is not of sufficient size to employ a manager, the commission itself supervises the local distributing system.

The commission, as the agency of the municipalities, fixes the rates to be charged in each city, village or community, based upon cost. These rates go up or down according to cost of production and distribution.

THE ECONOMIES OF SUPER-POWER

Since 1910, when the coöperative plan began operation, the rate for domestic uses in Ontario has been reduced from 9.3 cents per kilowatt hour to 1.66 cents; for commercial uses from 10 cents to 2½ cents; and for industrial power from 1¾ cents to 6/10 cents per kilowatt hour. During the same period, domestic power in the United States was reduced on an average from 9.2 cents to 7.4 cents, according to *The Electrical World* of January, 1928.

The Ontario system ranks among the greatest super-power enterprises in the world; it is a self-supporting league of communities; the power consumers are the owners and receive dividends in lower rates year by year as the system expands. These owners are gradually paying off loans advanced by the Ontario government, the low rates including enough to pay off all obligations in thirty years or less. No taxes are levied to maintain this municipal plan.

In New York state and other states power consumers receive little or no reduction in rates resulting from mergers and creation of super-power corporations. Instead of participating in the profits, consumers are required to pay for all anti-government ownership propaganda expenses such as are now being disclosed by the Federal Trade Commission.

The Canadian plan, being a municipal coöperative scheme, is in accord with Herbert Hoover's idea of coöperation as distinguished from bureaucracy. It is controlled by the units of the federated cities, villages, and rural districts, and not by a central government.

It is a partnership of municipalities engaged in the generation and distribution to themselves and their inhabitants of electric power, all benefits going to the consumers. The Hydro-Electric Commission is the instrumentality through which the partnership is managed.

BALANCING PREVENTION WITH FIGHTING WITHIN THE FIRE DEPARTMENT[1]

BY HAROLD A. STONE

Chief Engineer, California Taxpayers' Association

The up-to-date fire department should have a fire prevention bureau to isolate and control the causes of fires. :: :: :: :: ::

A NEW trend is developing in the field of fire protection to minimize the heavy losses in our American cities. The essence of this new idea is found in balancing fire prevention with fire fighting, making the two of equal importance. This is made possible because of a better recognition of fire hazards which in turn allows for their control. The controlling agency is not a fighting agency, but rather one of prevention. The possibilities of systematic control of fire hazards have already been recognized by many cities where fire prevention bureaus have been established, thus balancing the work of prevention with fighting.

FIRE PREVENTION THROUGH DISCOVERY OF CAUSES

Prevention of fires is comparable with the prevention of disease. In either case it is impossible to effect control unless the source and cause of the trouble be clearly known. The fire hazard, and similarly the disease germ, must be isolated. It has only been in recent years that fire hazards have been determined, classified, and rated according to their degree of potency. We have gone only a short way; more than forty per cent of the nation's fire losses, when expressed in dollars and cents, are still caused by fires of unknown origin; and in addition, there is yet much to learn about causes that have been, so to speak, pulled out from the fire.

Yellow fever was a mystery until the medical profession, through heroic efforts, discovered the deadly germ and learned of its mode of living. Thereafter control of the disease was made possible.

A story of surprising similarity can be told in the case of the fire engineering profession. Such hazards as rubbish and litter, sparks on roofs, and dust explosions formerly caused a large part of our total fire loss. Now they represent a relatively small percentage largely because they have been isolated as hazards and their peculiarities discovered. Consequently, their control is made possible.

CLASSES OF FIRE HAZARDS

Fire hazards can be divided into two main classes: those that are controllable, and those that are non-controllable. The latter can be called acts of God; but even here, fire losses can be held to a minimum if recognized methods of prevention are employed. Fires resulting from earthquakes, tornadoes, lightning and the like are subject to a certain amount of control. It has been estimated that there would have been considerable less loss through conflagration at the time of the San Francisco earthquake had the city been provided to a greater extent with fire stops. The success of fire preven-

[1] This is the first of two articles on this subject by Mr. Stone. The second article will appear in the March issue.

tion, however, lies principally with controllable hazards.

The degree of controllability or preventability depends upon the type or kind of hazard. Controllable hazards can be subdivided into human hazards and material hazards. The former, due to their inherent characteristics, are subject to a lesser degree of control than are the latter. This is only a natural conclusion when thought is given to the idiosyncrasies of the human being, in contrast with the general constancy of inanimate objects.

One group that arises from the human hazard is the fires caused by carelessness. Prominent men in the field of fire prevention estimate that from thirty to ninety per cent of the number of fires can be attributed to careless acts. This meaningless wide range of guesses brings home from just one angle the fact that we know but little of the causes and origins of fires. Nevertheless, the source of most of the trouble can logically be laid on the shoulders of man, for it is not a building that causes fire, but the occupancy; and man is, in the last analysis, a major part of the element of occupancy. His thoughtless and negligent acts in many cases are directly traceable to the "I'll take a chance" attitude or the "I should worry" spirit. Such a spirit constitutes what may be called the *moral hazard*. Thus it can be seen that control of fires in this group is fraught with difficulty, yet the degree of control is surprisingly large whenever recognized preventive methods are used.

Controllable material hazards constitute buildings of every description, including their equipment and machinery. Supplies, stores and inventory articles are subject to a large degree of control. Processes used in manufacturing, methods of operation, and similar physical fire hazards also lend themselves to control.

Two additional elements, though in themselves not fire hazards, pertain to the general subject of fire control. The first is that the loss of life can be materially decreased by providing means of escape in case of fire. First-aid equipment with which to fight a fire in its early stages has prevented many serious blazes; this is the second element. Both of these lend themselves ideally to regulation by the fire-preventing agency.

SPECIFICATIONS FOR "STANDARD CONDITIONS"

What is meant by control and how is it obtained? Experience has demonstrated that adherence to certain formulas will materially decrease the number of fires and the losses sustained. These formulas are currently known as "standard conditions." Compliance with them is a sort of insurance or protection to the individual, minimizing the opportunity for suffering losses. Specifications for standard conditions have been developed by fire engineers both in this country and abroad, and have reached a high state of perfection for many articles. Both public and private agencies have been instrumental in drafting them after extensive research and experimentation. The most conspicuous agencies in this field in the United States are the National Board of Fire Underwriters; National Fire Protection Association; Bureau of Standards, U. S. Department of Commerce; U. S. Department of Agriculture; several municipal bureaus of fire prevention, such as in New York City, Newark, Cleveland and Hoboken; several of the mutual insurance associations and insurance rate-making organizations; and a few associations of manufacturers of such materials as cement, lumber, and explosives. The National Fire Brigade Association of London and the Royal Commission on

Fire Brigades and Fire Prevention in Glasgow have done excellent work abroad.

An idea of the variety of subjects on which recognized standard specifications have been adopted can be gained from the imposing list of technical treatises published by the National Fire Protection Association and by the Underwriters as well. Hundreds of subjects have been dealt with, ranging from fire ordinances for theaters to pulverizing fuel systems for manufacturing plants. Building and electrical wiring codes have been compiled. The 100 per cent water supply system has been developed against which municipal systems can be measured. Known successful and fool-proof fire-fighting apparatus is dealt with in the specifications. One would think, when looking over the lists, that almost everything pertaining to fire protection has been carefully studied.

ENFORCEMENT OF STANDARDS A GOVERNMENTAL FUNCTION

Control of fire hazards is obtained when a municipality, county, or state demands that its citizens comply with previously adopted standards. The requirements should not be discriminatory, but should apply to all with equity. Partial enforcement is decidedly unjust, as it penalizes the one who complies, and at the same time subjects him to risk of exposure from fire occurring on the premises of a neighbor who has not so complied with the standard specifications. The essence of control is that regulations must be rigorously enforced—not spasmodically, but continuously.

Subjugation of fire hazards necessarily devolves upon governmental units. Someone must be charged with the duty of enforcing the regulations demanded in the standard specifications. Individuals, of their own accord, will adopt in varying degrees the recommendations of fire engineers, but it is not a function of private agencies to oversee and to enforce the minimum standards which have been adopted as a part of public policy. In the case of municipalities, the logical controlling agency is the fire department, whereas the fire marshals' division is the agency when a county or state attempts such control.

FIRE PREVENTION METHODS

There are two general methods by which control can be obtained. The first is by enforcing minimum provisions established by law. The second method is by continual and periodic inspections of all premises, with the exception of dwellings.

Legal enforcement of recognized practices presupposes at once the existence of codes of standards for such subjects as zoning, electric wiring, building construction, and fire prevention. This control prevents the creation of a hazard in the first instance. It is obtained when various bureaus or divisions of the city government see to it that all citizens comply with the regulations of the several codes. Enforcement of fire prevention laws and ordinances that are supplementary to other governmental functions is an indirect control calling for close coöperation with the fire department.

On the other hand, making of inspections for the discovery of hazards is a direct function of the department. This work is not new, yet a systematic and thorough inspection of all buildings other than dwellings, using report cards, rating dangerous conditions, follow-up inspections, and recommending improvements, is a rather new departure for most cities. True, many fire departments do currently have their uniformed men make inspections of down-town buildings. Frequency

of inspection ranges from once a year to once a week. It is sad but true that the average inspection is cursory only and affects but a small percentage of the buildings in a city. A few fire chiefs require their men to visit the larger buildings to become familiar with structural divisions so that fighting a fire can be done with previously-acquired knowledge of inside conditions. Such inspectors are on the outlook for fire hazards as well, but this is only a secondary consideration. Work of this nature is a step in the right direction and should be commended.

It can justly be said that there are only a handful of cities in our country that employ the inspectional method of control with any degree of thoroughness and effectiveness. However, the new trend in making more systematic inspections is exemplified in such cities as Schenectady, Fresno, Newark, New Rochelle, New York, and Los Angeles. Here bureaus of fire prevention are maintained and are manned by well-trained inspectors. Necessary fire laws give authority and legal backing to their work.

ROUTINE INSPECTIONS

But the inspections, as generally carried on by these cities, are of only one type. There is another type which can be more appropriately called a major or technical inspection, whereas the former are better known as routine inspections. The difference between the two lies in the type of hazard that is to be controlled. Routine inspections by their very name indicate continual visits to all buildings (except dwellings) to ferret out the minor and common dangers resulting largely from the human and moral hazard. It involves continual check-up on the management of an occupancy to safeguard not only himself but his neighbor as well.

The objects for which the routine inspector looks are principally those arising out of violations of the fire-prevention code. Naturally he will have little discretionary power. On the other hand, major or technical inspections are made so that ways and means, in the larger sense, are discovered to minimize the dangers from fire. Such a survey involves a minute analysis of all structural features and occupancy conditions, as well as exposure hazards from adjacent buildings. Internal protection for handling fires in the incipient stage, as well as demanding adequate means of escape, is the fourth element to be included. The work necessitates a corps of fire engineers technically trained, rather than firemen from the station houses. When all existing facts about a building are noted and analyzed with care, then intelligent recommendations can be made to lessen the fire hazard. Recommendations are discretionary in character, inasmuch as they are the collective opinion of trained engineers who have learned through experience that fire risks can be minimized when similar measures are put into effect. They differ from demands to make safe, which are issued because of violations to the law, as found in the case of routine inspections. Major surveys will not usually be made more than once in three to five years for each building.

THE IMPORTANCE OF A FIRE PREVENTION BUREAU

From the foregoing analysis, we find that there are two active and direct methods of controlling fire hazards: the enactment and enforcement of laws and ordinances to prevent the creation of hazards; and routine and major inspections to discover and correct those that are already in existence. The local controlling agency to oversee

the first method, as well as to carry on both classes of inspections, is the fire department, in which there is a bureau of fire prevention as the operating or working unit. A separate division is needed for prevention so that conflict will not arise with those who are responsible for the fire-fighting branch of the work. Thus two divisions, separate and distinct, with the fire chief in command of both, will now be found in the up-to-date departments.

Since the bureau of prevention will be held responsible for every fire that occurs, its duty, therefore, is to control the fire hazards within the city so that the very minimum number break out. Responsibility should also be held jointly with the fire-fighting branch in the control of the spread of a fire once it has started. Extinguishing the fire is the last job to be done.

The neglect of fire prevention work by the fire departments defeats the very purpose for which they are maintained, that is, to prevent loss through fire. On the other hand, promising results are in store for the departments adopting the poignant adage "prevention is better than cure." Mention has already been made of a few municipalities that are pioneering in an endeavor to curtail losses by controlling fire hazards and thus preventing fires. A fine example can be cited of success in prevention work obtained several years ago in Portland, Oregon, when that city was faced with an increase in insurance rates because of rising fire losses. After a systematic approach to the problem, losses in Portland were so reduced that the insurance companies removed their threatened ban upon writing new policies.

Observation of the changing ideas in fire protection in the United States leads to the conclusion that fighting a fire is not all that is involved. In fact, there are sound arguments supporting the contention that this function of municipal government should take second place, giving way to activities of fire prevention. In any event these two should be balanced and considered of equal importance. A simple and logical way to bring this about is by establishing a fire-prevention bureau within a fire department, putting both divisions—prevention and fighting—under the control of the chief.

THE ASSESSMENT OF REAL ESTATE AND BUILDINGS IN ROCHESTER, N. Y.

BY HAZEN C. PRATT

Rochester Bureau of Municipal Research

The adoption of up-to-date methods has given Rochester a scientific and equitable assessment system. :: :: :: :: :: :: ::

PREVIOUS to January 1, 1928, assessments in Rochester were made by a board of four elected assessors. Properties were viewed from the street and assessments were written in the rolls according to an assessor's judgment based on the appearance of the various properties. The great majority of assessments were carried on unchanged from one annual roll to another except for occasional flat increases in all assessments to take care of rising property values. Large factory and office buildings were inspected, inventoried, and appraised by engineers employed by the city. With the exception of these buildings, no particular records were made of the properties assessed other than the brief listing in the rolls. Assessments were based almost entirely upon the assessor's unsupported judgment.

THE NEW PROCEDURE

Some years ago, the board of assessors resolved upon a thoroughgoing installation of the most modern assessment methods and secured the necessary appropriations. Definite rules are now established for determining the value of any plot of land or the value of any ordinary type of structure. As the rules are applied alike to all properties, impartiality and equity in assessments is secured. The property owner, by reference to the published rules, may determine his assessment and arrive at the same result as the assessor.

For the assessment of land, a tax map of the city is provided. This gives the exact dimensions of every lot and parcel of land within the city. Land values on various streets and portions of streets are expressed in dollars per front foot, and this information is entered on a land value map. Rules stated in the published *Rochester Assessment Manual* determine the assessment of any lot, no matter what size or shape, from its dimensions as given in the tax map and from the front foot value of land as given in the land value map for the location.

For the assessment of houses and buildings, the *Manual* gives over one hundred photographic illustrations of typical structures, together with a statement of the assessable value per square foot of each type. On a detailed field survey, each house or building is measured, is classified according to illustrations of similar structures in the *Manual*, and its value is determined by multiplying its area by the dollars per square foot stated in the *Manual*.

A detailed description of each structure assessed and all calculations leading to either land or building assessments is kept for each property on a card known as the data card. Every taxpayer is privileged to examine these cards and to see exactly how his assessments and the assessments of his neighbors were determined.

TAX MAP

For purposes of the tax map, Rochester, a city with an area of 34.2 square

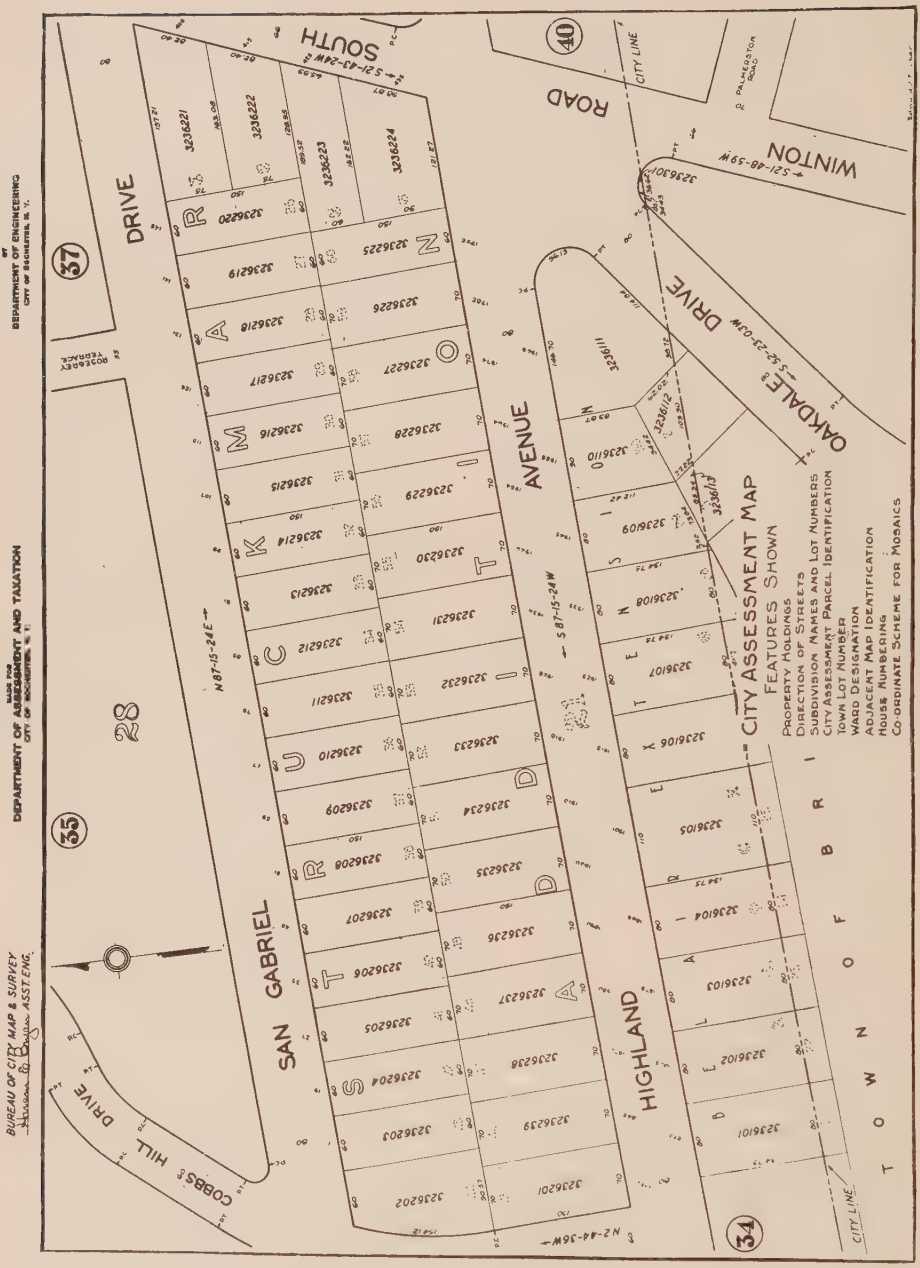

FIGURE 1

miles, is divided into 33 tax map districts of approximately equal area, as illustrated by Figure 1. These are numbered consecutively from 1 to 36, with even numbers on one side of the Genesee River, which roughly bisects the city, and odd numbers on the other side. Within each map district, the city map is drawn on approximately 40 sheets, 21 by 30 inches in size to a

scale of 50 feet to the inch. These sheets are also numbered and include from one to three entire blocks of the city in such fashion that every block is shown in its entirety on some sheet of the map. Within the sheets, which are called maps, the blocks are numbered and all lots within each block are numbered consecutively. The legal number for each lot for tax purposes includes the map district number, the map number, and the block number as well as the particular number of the lot within the block. For example, lot No. 25-02-1-07 is lot No. 7 in block No. 1 shown on map No. 2 in map district No. 25. On map No. 2 the plan of this lot is shown with all dimensions, together with the information that it is formed from parts of lots 88 and 89 of the West Avenue subdivision. Index maps are provided for the entire city and each map district. Any property may be readily located by reference to these indices and its city map number may be ascertained by inspection of the proper map sheet.

City map numbers, once assigned, are permanent and do not change as is the case with street names and street numbers; nor are they affected by divisions, additions and subdivisions of property. A simple means is thus provided for permanently identifying each property without need for lengthy legal description, reference to the thousand and one unrelated subdivision titles, or listing the additions and subtractions of portions of lots which have all been previously necessary. The tax map is kept constantly up to date and no effort is spared to keep it accurate.

A transcript of the property description is taken when every deed is recorded. These are scrutinized to discern whether any changes are made in property lines and, if changes are made by such property transfers, lines on the city map are immediately changed to correspond. Lot No. 2502107, to which a five-foot strip from a neighboring lot was added by a deed recorded yesterday, is changed on the city map today from a fifty to a fifty-five-foot width as lot No. 2502107.1. Lot No. 2502123, which was divided into two lots yesterday, is carried today on the city map as two lots of numbers 2502123.1 and 2502123.2.

The tax map provides the city with the first complete, reliable, and up-to-date record of lot dimensions. In preparing this map, the city spent several hundred thousand dollars in surveying all doubtful property lines, locating street lines, taking transcripts of all deeds, and drawing the map. The map numbering system will be of great advantage to property owners and lawyers in transferring property. The location of street lines, monuments, and landmarks in the map will assist in planning street and public improvements.

LAND VALUE MAP

Thirty-three maps covering the area of the city (similar to the map district index maps described above) are used to record land values, as illustrated by Figure 2. These are stated in dollars per front foot to a uniform depth of 100 feet in business districts, and to a depth of 120 feet in residential districts. Values are determined after conferences with real estate men and owners buying property and are generally set down on the map opposite each block in each street. The values, as tentatively assigned, are subject to criticism before confirmation. As the values are expressed in a simple common unit of measure (the 100- or 120-foot strip, one foot wide), they may easily be compared to see that one district is not benefiting at the expense of another.

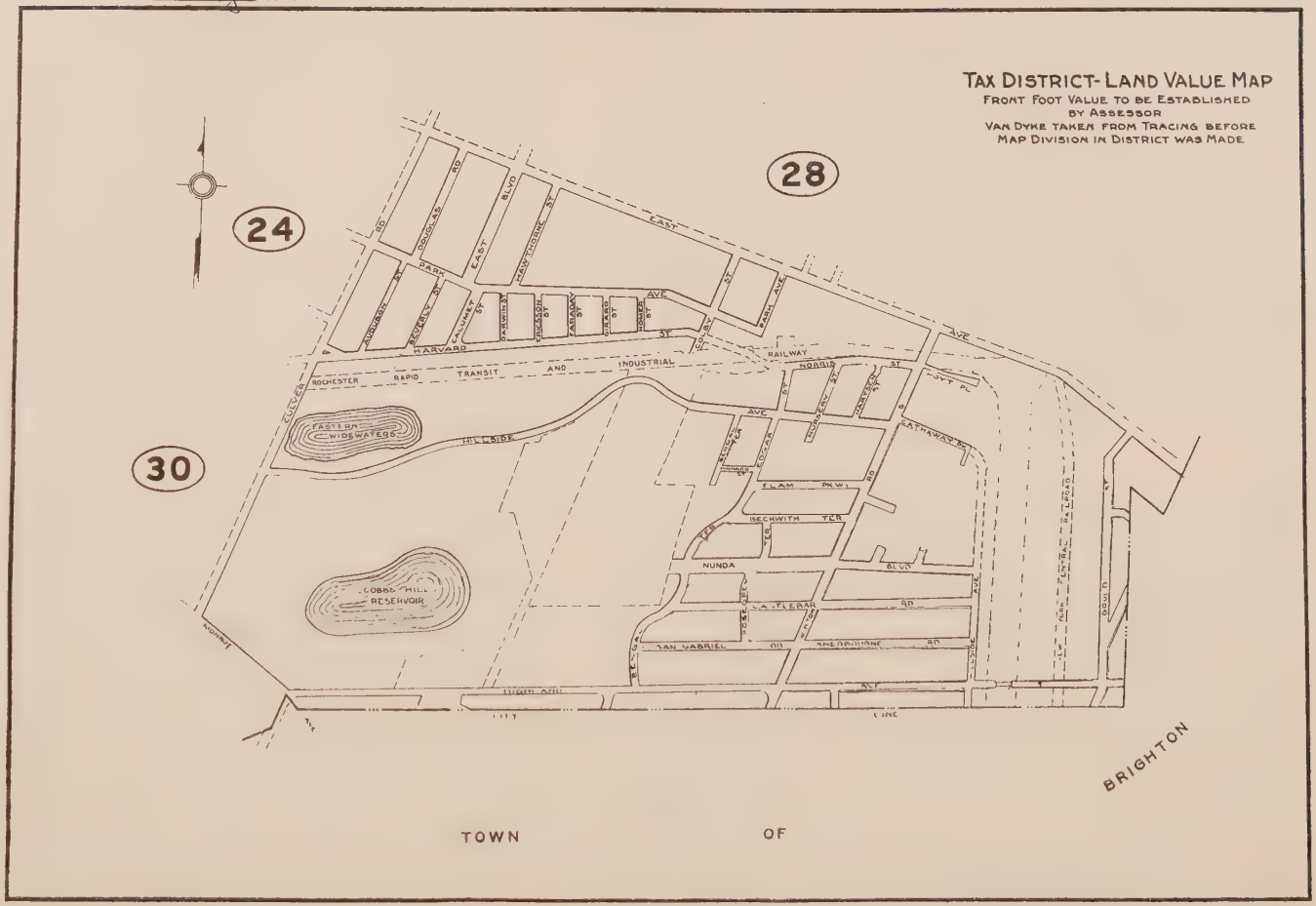

FIGURE 2 **DISTRICT 32** LAND VALUE MAP

LAND ASSESSMENT RULES

Rules for the assessment of lots and parcels of land from the basis of the land value map are given in the *Assessment Manual*, together with appropriate explanations and examples. The *Assessment Manual* is published by the city and supplied free of charge to any taxpayer. The rules are quite simple and may be applied by any person with moderate intelligence.

It is recognized that urban property owes its value chiefly to its access to streets. Shallow lots accordingly become more valuable per unit of area than deep lots of the same frontage, because, generally speaking, only one house or building may be placed on a lot, regardless of its depth. The unit of area, therefore, becomes valueless for purposes of comparison, and recourse must be had to some table to tell how a shallow lot compares in value with a deep one. This table is called a depth table and gives factors or fractions opposite each foot of depth from 1 to 500. A factor is selected from the table according to the depth of the lot. In the case of rectangular lots or parallelograms, this factor, multiplied by the frontage and by the unit value per front foot taken from the land value map, gives the assessable value of the lot.

In the case of triangular lots with base at street line, the factor for one-half the depth is used. If the apex is at the street line, the difference between factors for the full depth and one-half the depth is used. Lots of any conceivable shape may be divided into rectangles, parallelograms, and triangles by division lines. In such irregular lots, each constructive figure is calculated as though it were a separate lot. The sum of the results gives the proper value for the entire lot.

Tables are also provided in the *Manual* to allow for the increased value which corner business lots have over inside lots by reason of their location. This depends on the relative value of the intersecting streets. Allowance is also made for added value by reason of adjacent alleys. A percentage of the previously calculated lot value is added, according to the width of the alley and whether alongside or in the rear.

TABLE OF HOUSE AND BUILDING VALUES

In the *Manual* are given photographic illustrations of typical single houses, Boston flats, double houses, four-family houses, semi-detached houses, stores, apartment houses, and garages. Within each of the above mentioned classes of structures, there are from two to fourteen divisions arranged progressively according to relative value. Under the illustrations for each division, a description is given in tabular form serving further to identify the class of structure for which a value is stated. The values are stated in a table for one, two, three stories, etc., and for shingle, stucco, brick or stone construction, etc. Practically all values are stated in dollars per square foot for structures of a certain specified height. Cubic foot figures are not used in the simpler structures, but single and double garage values are stated in lump sums.

A number of illustrations are given of each type of structure for which a value is stated. Comparison of several illustrations, all picked to represent the same class of value, makes it more apparent that it is the grade and costliness of construction which is represented rather than a particular style of architecture or condition of repair.

HEATING, PLUMBING, AND EXTRA ROOMS

The tabular description given for each class of structure in the *Manual* lists the type of heating installation, number of bathrooms, grade of plumb-

ing, etc., commonly observed in structures of this class. If a house or building to be assessed plainly falls within a certain class in the *Manual* except in respect to number of bathrooms, type of heating or some other factor, allowances are made for such deviations from standard according to tables given in the *Manual.* Rules are given also for figuring the values of porches, sun porches, attached garages, and finished rooms in attic or cellar.

The values expressed in the *Manual* were set after gathering cost data for a large number of houses and buildings from architects, contractors, and builders of Rochester, classifying and comparing these, and reducing the figures obtained to a conservative average. Costs on heating, plumbing, roofing, excavation, etc., were obtained from firms specializing in such work and the average costs of several firms were used in each case to build up the tables presented in the *Manual* for deviations from the standard in such matters.

FIELD SURVEY OF HOUSES AND BUILDINGS

Thirty men have been employed in the field, in teams of two each, measuring all houses and small buildings, and calculating their values according to the *Manual.* The interiors of practically all houses and buildings are inspected by these field men. Power of law is not invoked to secure admission. The householder is merely requested in the interests of fair assessments to allow the interior of his house to be inspected, and no penalty follows refusal. In only a few isolated instances, however, has admission been refused.

Following inspection of the interior and the exterior of a structure, it is classified by the field men according to illustrations and descriptions of similar structures given in the *Manual.* This, together with height and material of construction, sets the unit value in dollars per square foot. Multiplication of the area of the structure (as determined by its measured dimensions) by this unit value gives a nominal value for the entire structure. The field men then subtract from or add to this nominal value allowances for deviations from standard or depreciation, and report the result for assessment.

A complete field survey is made every five or ten years. In the meantime the majority of structures are continued on the rolls without change in assessment except as may be allowed for depreciation, obsolescence, or appreciation. New constructions are inspected and appraised each year as these are built. The bureau of buildings keeps the assessor informed of all new constructions, alterations or demolitions. In Rochester, with a hundred thousand odd items of property, it took a force of thirty men about a year and a half to make a complete field survey of all houses and small buildings. Large buildings and factories are separately inspected and appraised by properly qualified consulting engineers.

DATA CARD

The results of the calculation of land values and the field survey of buildings are expressed on data cards. These cards, 9 by 11½ inches in size, carry complete descriptions of houses or buildings assessed and all calculations, whether for determining land or building assessments, systematically arranged (Figure 3). On the back of the card a diagram of the lot is made, if the lot is irregular, and a sketch of the ground floor area of the structure is also given. On the face of the card are spaces for entering five successive names of owners (in cases of transfer of properties), tables to check off descriptions of buildings, spaces for calculating and recording five successive assessments of land and buildings, and

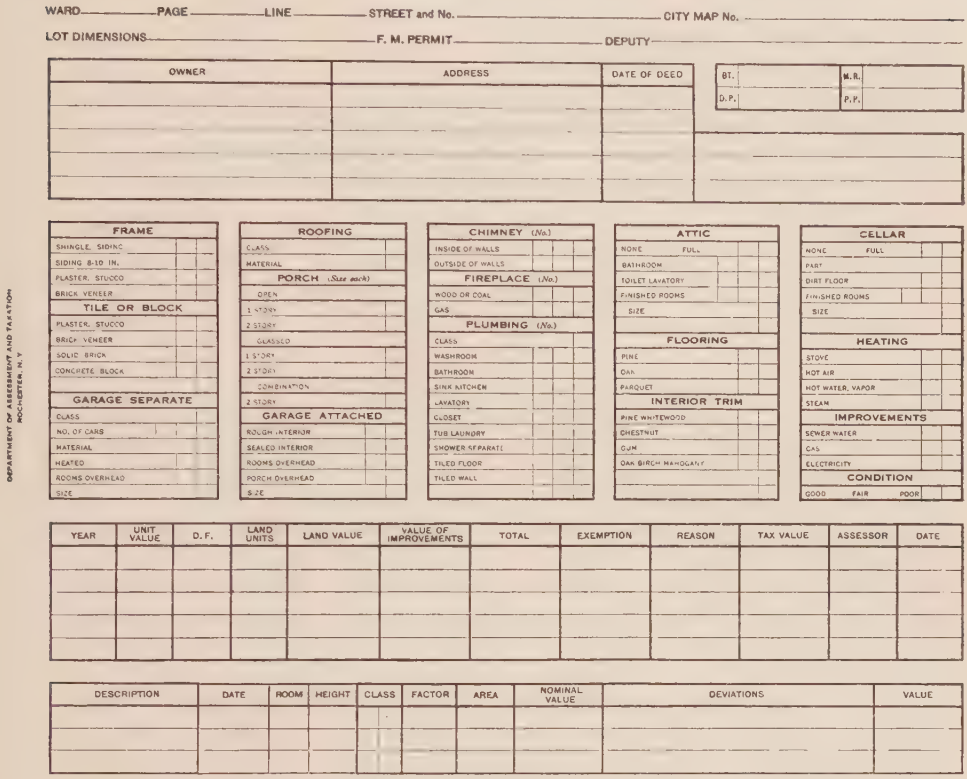

FIGURE 3

spaces for calculating building values, together with other information. The data cards are taken into the field by the field men on making a survey and descriptions of buildings assessed are entered while they are on the job.

The data cards are invaluable to the assessor: first in presenting a complete record of all steps taken in arriving at assessments; and second as serving to convince a complainant that a real study was made of the assessment of his property, that the assessor really knows something about the property in question, and that the assessment is fair in comparison with others and was arrived at by the use of fair and impartial methods.

A REJOINDER ON THE RELATION OF BUILDING HEIGHT TO STREET TRAFFIC

BY ERNEST P. GOODRICH
Consulting Engineer, New York City

A noted city planner takes exception to Dr. Simpson's article in our July, 1928, issue. :: :: :: :: :: :: :: ::

In the July, 1928, issue of the National Municipal Review was an article on "The Relation of Building Height to Street Traffic," [1] which contains a surprising conclusion, obviously based on a fallacy. The error is apparent to anyone accustomed to working in such matters. In the last paragraph of the first column on page 418, a very clearly defined problem is stated. Together with certain obvious implications, it may be restated as follows:

In the down-town district of a city which now is built up solidly with ten-story buildings, separated by seventy-foot streets "between building lines" with ten-foot sidewalks on both sides, care is being taken of the pedestrian and vehicular traffic in a satisfactory manner. Let it be assumed that the district, in question, comprises four blocks each 200 feet square on the building lines. Let it further be assumed that the pedestrian approach to this four-block district occurs at each corner of the district in equal quantities and distributes itself throughout the district in an absolutely symmetrical manner, each eighth of which is precisely like Figure 3, page 411. Let it further be assumed that these pedestrians arrive so nearly simultaneously that they exactly fill the sidewalks immediately adjacent to each corner of the district when moving at a normal speed, so that any increase in the pedestrian density would be impossible, provision being made for increased traffic either by sidewalk widenings or delays on the part of some pedestrians in reaching the center of each block adjacent to each entrance corner of the four-block district. Let it also be assumed that if and when the buildings are increased in height, the same unit of floor space will be occupied by each building occupant irrespective of building height.

The total occupancy of the district will then be equal to the number of blocks multiplied by the floor area per block, multiplied by the number of stories, divided by the unit occupancy per office worker. Since there are four points of entry to the district with eight routes (all assumed to be equally used), the total number of pedestrians which will pass anyone of the eight symmetrically-placed congestion points will be the above figure divided by eight. It is further assumed, that an increase of building height will be accompanied by an increase in width of sidewalk, "secured by a diminution in block dimensions between building lines" to such an extent as to permit the total new number of pedestrians to arrive at their offices in the same time interval as had occurred with the ten-story building occupants, and at the same average walking speed. Sidewalk capacity must be measured by velocity, multiplied by a density factor, multiplied by time, multiplied by sidewalk width.

[1] Pp. 405-418.

SIDEWALK WIDTH, THE VARIABLE FACTOR

Since the whole analysis omits consideration of a time factor with reference to movement into areas of equal size, and since it is unreasonable to assume any different velocity or density factor with different building heights, the only variable in the above formula is the sidewalk width. If it is assumed that twenty per cent of the traffic is of the through type when the buildings are ten stories high, it may or may not happen that the through traffic increases when an increase in building height takes place. If such an increase does occur, so that the same percentage exists, then the exact percentage may be omitted from consideration except that, when the width of the sidewalk has been determined for the local traffic, it can be widened proportionally to provide for the through traffic. On the other hand, if through traffic remains constant in quantity (obviously declining in percentage), then all that is necessary is to compute the actual width of walk required to accommodate the through traffic and add such constant sidewalk width increment to the variable width computed to provide for the variation in building height. In the case assumed, a twenty per cent ratio of through to local traffic was assumed under the condition when ten-foot sidewalks are provided. This means that two out of ten feet (ignoring such obstructions as hydrants, poles, show-windows, and shoppers gazing into them) is to be set aside for through traffic. This leaves a width of eight feet available for local pedestrian use.

A SUGGESTED EQUATION

The easiest way to study the matter further is by means of the following simple equation: (the length of a side of a city block multiplied by itself, times the average building height in stories, times the number of blocks in the district) divided by (the unit of area occupancy per office worker, times the number of lines of flow from the entrances to the district) equals (the width of the sidewalk at the point of greatest use, times a density factor, times velocity of pedestrian travel, multiplied by the time interval assumed for the office workers to pass through an entrance to the district). Put into algebraic form this equation becomes

$$\text{(a)}\quad \frac{NHS^2}{CU} = KVTW$$

where N = the number of blocks in district considered.
H = the average building height in stories.
S = the side of a building block (assumed to be square).
C = an occupancy factor.
U = the number of lines of flow at all entrances.
V = the pedestrian velocity.
T = the time interval for the pedestrian traffic to move.
W = sidewalk width for local traffic.
K = a sidewalk density factor.

If it is assumed that N, C, U, K, V, and T remain constant, then if H is increased, W must be increased, S remaining constant or being decreased according to whether the sidewalk widenings can be made by narrowing the vehicular roadway or by reducing the block sides. In other words the equation becomes

$$\text{(b)}\quad \frac{N(H+B)(S-A)^2}{CU} = KVT(W+A)$$

where A = the increase of sidewalk width.
B = the increase of height in stories.

In order to compute the effect which a change in building height will have upon sidewalk width, it is only necessary to divide equation (a) by equation (b), member by member. This gives

$$\frac{HS^2}{(H+B)\,(S-A)^2}=\frac{W}{W+A}$$

from which $$H+B=\frac{(W+A)\,HS^2}{W(S-A)^2}$$

It is often possible to widen the sidewalk without diminishing the block sides. Under such conditions

$$H+B=\frac{W+A}{W}\,\frac{HS^2}{S^2}$$

from which $$B=\frac{AH}{W}$$

Since H and W were the initial building height and sidewalk width respectively, and do not change, it is seen that the additional sidewalk width is proportional to the additional building height.

LENGTH FACTOR IS CONSTANT

Going back to the equation which includes $(S-A)$, it is easy to substitute in that formula the numerical values employed in the article under criticism, and to solve the resulting quadratic equation for the additional width of sidewalk required. It is evident that the answer will not be the same. If "sidewalk area" is introduced into the original formula in place of width only, then the length factor (which multiplied by the width gives the area) will obviously remain constant under any assumption which does not increase the number of building blocks but involves only changes in building heights. Under such circumstances, the length factor will cancel out when equation (a) is divided by equation (b), member by member.

The fallacy in the reasoning in the original article is the application of a perfectly correct arithmetical area average, under the assumptions made, to an entirely inapplicable practical maximum width condition. No engineer would design a bridge for the average load moment, nor would a competent city planner determine the width of a street or sidewalk for average traffic conditions.

RECENT BOOKS REVIEWED

THE COLLECTION OF GENERAL PROPERTY TAXES ON FARM PROPERTY IN THE UNITED STATES, WITH EMPHASIS ON NEW YORK. By M. Slade Kendrick. Bulletin No. 469. Cornell University Experiment Station, Ithaca, N. Y., June, 1928. Pp. 51.

"Can the $845,000,000, or more, of farm general-property taxes gathered annually in the United States be collected more efficiently than it is now collected?" This study endeavors to formulate an answer to this question. The result is a series of significant statistical comparisons on the costs of tax collection in various parts of the United States in relation to the administrative units for collection, the collecting officials, and the methods of paying the tax-collecting official.

A major feature of this report is the convincing and conclusive evidence it supplies to show that the collection of general property taxes on farm property on the fee basis is inordinately expensive in contrast with the collection of such taxes on the salary basis. Equally significant is the comparison of the cost of county-treasurer collections in other states with the cost of town and school district collections in New York. "Not only is the local collection-fee system in New York costly when compared with the county-treasurer system, but, unlike the county-treasurer system, it permits no savings with increased collections."

The general conclusion of the study is that a general adoption of the system of county-treasurer collection of taxes, with the treasurer on a salary basis, would lower costs in most of the 28 states which do not have this system of collection. This investigation gives evidence of conscientious and painstaking research. It furnishes valuable material for students of financial problems of local rural government.

MARTIN L. FAUST.

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THE CLASSIFIED PROPERTY TAX IN THE UNITED STATES. By Simeon E. Leland, Ph.D. Boston and New York: Houghton Mifflin Company, 1928. Pp. xiv, 492.

Dr. Leland has written *the* book on the classified property tax. He traces the historical development of classification, tabulates and analyzes the results which have been achieved and presents the *status quo* of 1927 in complete detail. Many men in writing on special phases of public finance have eventually tricked themselves into a belief that the sun rises and sets within the confines of their subject. This is not Dr. Leland's attitude. His presentation of property classification as a phase of our evolution and as a part of the general tax systems of the states shows an honest and scholarly attitude. And, though he has convictions, he is not guilty of working up a propagandist zeal, nor of being unfair to those with whom he does not agree. While the book does not deal with the technique of administration, Mr. Leland recognizes the supreme importance of administration in the tax system. On the whole, our American economists have done rather better than our political scientists in acknowledging the refractive influence of administration upon institutions and theories. Some readers may desire a more profound theoretical analysis as a guide for future practical programs. Theory is not entirely neglected, but the structure of the book has been planned so as to emphasize laws, institutions, and arguments.

The book is well written, though hardly inspiring, and copiously annotated and indexed. The appendix is worth while and the bibliography quite complete—though one familiar with some corners of the field can find omissions. Dr. Leland's study will be of real value to professors and advanced students of public finance, and to legislative committees, tax commissions, and governors who are drawing programs of tax reform.

LUTHER GULICK.

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THE SAN MATEO–SAN FRANCISCO SURVEY, 1928. Compiled by the San Francisco Bureau of Governmental Research for the San Francisco Chamber of Commerce, 1928. Pp. 196.

Slowly we are moving toward the time when "political myths and economic realities" shall not be so divorced as they are today. This study is one step in calling the attention of the public to the fact that they are separated. With a make-up approximating the attractiveness of a popular magazine this study should gain an entrée into many homes and offices and when once

a person looks inside, the use of photographs, charts, maps, and tables will keep him interested in a text which will tell him about almost every aspect of the local government under which he lives.

He will see that since he has moved from San Francisco into San Mateo County there have been thousands of others who have also moved, and they have carried with them the same tastes which they developed in the more urban environment. He will see that this has given rise to many problems of a governmental nature which can be solved only by coöperation between his former and his present homes.

He will find a patchwork of 71 units trying to govern his new home, with an antiquated county government, and a school system which can be named "system" only by courtesy. He will see that there are no adequate provisions for highways, no arrangement to stop the flow of over forty sewer outfalls along a bay about forty miles long, no sufficient fire or police protection, and no intelligent planning for the future development of the region.

By that time he will begin to wonder why something has not been done and what he can do. Then he will find concrete, detailed suggestions for a future form of government which will assure a centralized administration of common governmental functions and at the same time leave to the local communities all that local pride and local efficiency demand.

The proposal follows the general lines familiar to those interested in the unification of metropolitan areas by what is roughly known as the borough plan. The charter, to be authorized by the legislature, would meet objections now raised to San Francisco's city-county government, according to the survey. A manager is suggested as superintendent of operations. One feature which appears to be unique is that "cities voting adversely to consolidation would become independent units within boroughs established, with independent powers, but without the cooperative features borough government should provide for."

This survey does not attempt to be so impartial that it can offer no guide to future action; it is in favor of consolidation, it says so, and it tells why. But it gives those who think otherwise a most fair deal. It should serve as a guidepost for cities with similar problems.

Clarence O. Senior.

Adult Education Association, Cleveland.

Research in the Humanistic and Social Sciences. By Frederick Austin Ogg. (Report of a survey conducted for the American Council of Learned Societies.) New York: Century Company, 1928. Pp. 454.

This survey grew out of efforts to stimulate research in the humanities. In brief, this study proposed (1) to obtain a complete picture of present-day research; (2) to reveal obstacles to fruitful research; (3) to reduce the handicap from which the humanistic and social sciences have heretofore suffered through the too rigid separation of their various fields; (4) to assemble a body of data which could be made to serve as a starting point of concerted efforts to maintain hereafter a comprehensive record of research in these fields; and (5) to suggest more intensive study of particular research problems.

In order to prevent overlapping with other similar but less catholic investigations, particularly that undertaken by the Social Science Research Committee, it was early agreed that this particular survey would deal with the agencies and facilities for research and with some of their related problems, while the study of the Social Science Research Committee would deal primarily with methodology.

By its very title, this review of research has been limited to the fields of "intellectual endeavor represented by the fifteen societies affiliated in the American Council." This means that seven principal subjects are treated, namely, history, economics, political science, sociology, philosophy, philology, and archaeology. The editor points out that this delimitation ignores several correlated activities such as jurisprudence, education, psychology, etc., but that a limitation of time and resources made further study impractical.

Within the limitations mentioned, the discussion and enumeration confines itself to (1) research interests of the Learned Societies; (2) research in the universities; (3) research in colleges; (4) the activities of bureaus, foundations, and other special organizations; (5) the activities of a varied list of social and philanthropic reform agencies; (6) research by business firms; (7) research of the national government; (8) research by private individuals; (9) current tendencies and needs in research; (10) methods and amounts of assistance given by the great foundations; (11) fellowships, prizes, and grants in aid; (12) libraries as depositories of research material; and (13) the problem of adequate

provision for prompt publication of research results.

In addition to being a thoroughgoing survey of social research, the volume stands as a monument to the painstaking labor of Professor Ogg.

LENT D. UPSON.

Detroit.

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THE NEW DAY IN HOUSING. By Louis H. Pink, with an introduction by Hon. Alfred E. Smith, Governor of New York. New York: The John Day Company, 1928. Pp. xiv, 208.

This volume reviews the development of the present housing situation in large centers in America and the steps taken to remedy conditions. It indicates that but little has been accomplished to solve the grievous problem of housing the lower economic groups. It is truly an urban treatise and from a New York point of view.

Considerable discussion as to important foreign experiments shows a tinge of approval with governmental participation in solving the problem. While there is a chapter on garden cities abroad, only two are described—Letchworth and Welwyn. Some of the other experiments are not mentioned. As to American experiments, only Mariemont is elaborated, but Sunnyside and Radburn come in for a little discussion. Nor is reference made to the work which has been done by large corporations in providing permanent accommodations for lease or sale, and in developing town sites. However, the many excellent apartment developments of philanthropic character or limited dividend arrangements, mostly in the vicinity of New York, which care for from a few hundred to a thousand families, are cited as notable contributions to the science of housing.

While everything else is being turned out in quantity, there has been no great movement to put the housing industry in line with the fabricated production of other fields. Residential buildings in American cities represent an investment of over $2,000,000,000 a year and, during 1927, in 302 cities, according to the Department of Labor, dwellings were erected for 418,878 families. From this it can be seen how small is the proportion of housings furnished by such notable examples as Mariemont, which even now houses only about 1,500 families.

As a member of the New York State Board of Housing and through other associations, the author has acquired an intimate knowledge of the several developments, particularly in New York under various forms of governmental aid. Much is expected in the future from proper legislative assistance, particularly by tax exemptions. No reference is made, however, to the work of the Federal Government in constructing houses and dormitories during the War. While some of these were developed in urban communities, many of them were of the garden city or satellite type.

As may be inferred from the provisions of the New York State Housing Law, set forth in the appendix, the solution sought for is the determination of some method of demolition of the "slums," either by excess condemnation, by police or health authority, or some method not yet developed. It is proposed to follow this by the erection of large tenements, with modern sanitation and conveniences, protected by proper planning and zoning, and the many other aids to housing, as set forth in the last chapter.

Mr. Pink's work is well written and is an interesting presentation of certain features of the housing situation. The efficiency of the book could be greatly increased by a complete index. It gives a brief history of the various steps, conditions and experiments which have led to the passage and administration of the New York housing law. As such, it is of greater interest to the New Yorker than to dwellers and students of other populated centers of the United States.

MORRIS KNOWLES.

Pittsburgh, Pa.

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ORGANIZATION AND OPERATION OF A MUNICIPAL BUREAU OF FIRE PREVENTION. By Harold A. Stone and Gilbert E. Stecher. Published by the School of Citizenship and Public Affairs, Syracuse University, 1927. Pp. 166.[1]

This book, one of a series of studies in public administration prepared under the auspices of the School of Citizenship and Public Affairs of Syracuse University, is written with the viewpoint of the public administrator constantly in mind. In fact, one who cannot visualize theory at work may find himself lost in the section which describes in minute detail the types of inspections, inspection card forms, office records, procedure, etc. All this, however, is set down in such a clear and orderly manner that in addition, all that is needed to put a real effective bureau

[1] See article by Harold A. Stone in this issue, pp. 82–86.

of fire prevention into active operation is enabling legislation and a will to discharge a serious and important responsibility. And the authors have not overlooked either of these two essentials.

Part I contains plenty of data which should furnish one with the will to act. Here the lack of balance between fire fighting and fire prevention is clearly illustrated. The records given of fire losses in the United States and foreign countries are rather convincing that prevention rather than the fighting of fires may be the solution.

Part II, devoted to the "solution of the problem," discusses the organization of a fire prevention bureau, the essentials of fire prevention codes and ordinances, police power and personal liability, and boards of appeals. The treatment accorded these important matters holds much of interest for anyone even remotely interested in the practical means of preventing fires.

Part III is the section already referred to, which explains clearly and concisely just how a bureau of fire prevention should be established and operated. The authors wisely point out and prescribe for the small as well as the big city, and for that reason the book has a general appeal.

The final chapter, entitled "The Creation of Public Interest in Fire Prevention," is an exposition of the two theories of reform applicable to the problem of fire prevention.

Everyone should be interested in reading certain parts of this book, and public officials charged with the safety of the life and property of their fellow citizens should be compelled to read it all and to start action upon at least some of its suggestions before receiving their next pay checks.

C. E. Ridley

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Westchester County Park Commission. Sixth Annual Report for the Year Ending April 30, 1928. Published by the Commission, Bronxville, N. Y. Pp. 131.

For those who have travelled over the wide parkways of Westchester County, picnicked in one of the several spacious parks along the Hudson River shore, played golf on one of the many public golf courses distributed throughout the county, or spent an afternoon at Rye Beach on Long Island Sound, this report will bring up pleasant memories. The booklet is replete with views of scenery and improvements, some of which are under construction and others completed. Several "before and after" views add interest, and in the case of the Rye Beach development, amazement as well. The "before" picture of this recent improvement shows the steam shovels breaking ground after Labor Day in 1927, and the "after" view shows the board walk and bath house structure capable of accommodating 10,000 people, opening at the end of May, 1928. No less amazement is occasioned by the account and views of the work of piercing the 55-foot embankment carrying the six main line tracks of the New York, New Haven and Hartford Railroad, and the construction of a monumental arched masonry bridge under the railroad and spanning the newly completed Hutchinson River Parkway.

The page of charts near the beginning of the report indicates that during the four years immediately after the creation of the park system, the total assessed valuations of taxable property increased from slightly less than 900 millions in 1924 to over 1,300 millions in 1927. This increase is so pronounced in comparison with that of the years just prior to the creation of the park commission that one is compelled to conclude that such a large growth in land values has been due to the far-sightedness and the well-planned work of this commission. Other charts show that entirely apart from the creation of real estate values the park system is rapidly becoming self-supporting as to operating and maintenance expenses through income derived from rentals, concessions, golf courses, bath houses, swimming pools, and other recreational facilities.

The booklet is separated into five general divisions, as follows: reports of the commission, chief engineer and legal department, financial statements, real estate, and park laws. Anyone with a personal knowledge of the remarkably fine work being done by this commission in Westchester County can appreciate the difficulty of trying to convey that intelligence adequately by means of word and picture, but this excellent report succeeds in doing it in a capable and dignified manner.

C. E. Ridley.

JUDICIAL DECISIONS

EDITED BY C. W. TOOKE
Professor of Law, New York University

Special Assessments—"White Way" Lighting System as a Local Improvement.—In *Braydon* v. *City of Muskogee* (November, 1928), 271 Pac. 1006, the Supreme Court of Oklahoma has been for the first time called upon to pass directly upon the question as to whether an ornamental street lighting system, commonly known as a "white way," is a local improvement within the meaning of the constitutional provision permitting assessments for local improvements upon the property benefited.

The Court, in answering the question affirmatively, expressly followed the rule announced by the Supreme Court of Oregon in the case of *Fisher* v. *Astoria*, which has been previously discussed in this REVIEW,[1] and held that when the improvement is of special advantage to the particular locality and of a nature not common to the inhabitants of the city as a whole, the fact that it may incidentally benefit the entire city does not destroy its use as a foundation for local assessment.

It may be noted, however, that in *Braydon* v. *Muskogee*, the case under consideration, the charter of the city of Muskogee expressly authorized the city to provide by special assessments for special lighting districts, while in *Fisher* v. *Astoria*, where there was at the time no express power to delimit districts for such improvements, the city was held, aside from the curative effect of the subsequent amendment to the charter, to possess this power as incidental to its power to delimit districts for the improvement of streets.

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Indebtedness—Attempt to Evade Constitutional Limitations.—Another attempt to evade by subterfuge the constitutional limitations upon indebtedness was presented recently before the Kentucky Court of Appeals in the case of *Jones* v. *Rutherford*, 10 S. W. (2d) 296. The city of Corbin, desiring to install an additional electrical power unit in its municipally owned and operated water and light plant, which it was unable to do by purchase without exceeding the municipal indebtedness permissible under the constitutional limitation, proposed to enter into a contract whereby it leased the electrical machinery for stipulated monthly rentals, with the option to purchase the equipment at the end of the term for the price of one dollar. As the municipality, under the proposed agreement, assumed to pay and was obligated for the entire contract price, so that it constituted a *present indebtedness* within the generally recognized rule[2] and as established by the Kentucky precedents, it was to be expected that the taxpayers' suit to enjoin the city from entering into the contract would prevail.

It is difficult to understand why municipal officials, notwithstanding the repeated judicial frustration of such attempts, will persist in entering into transactions of this transparent nature. In the present case the mode of procedure was especially questionable, as from the agreed statement of facts submitted it appeared that the city had a considerable income from its light and water plant which would have been available for the purchase of additional equipment, and this could have been accomplished without exceeding the debt limit by acquiring the plant in sections by the method approved and upheld in *Overall* v. *Madisonville*, 125 Ky. 684, 102 S. W. 278 (1907).

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Municipal Ownership—Control of Rates by State Public Utility Commission Denied—In *Logan City* v. *Public Utilities Commission*, 271 Pac. 961, decided November 24, 1928, the Supreme Court of Utah holds that under the provision of the state constitution the commission has no authority over the operation or rates of any municipally owned plant. Section 29 of Article 6 provides that "the legislature shall not delegate to any special commission, private corporation or association any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, to levy taxes, to select a capitol site, or to perform any municipal function." Similar clauses are incorporated in the constitutions of Pennsylvania, Colorado and Montana. In Montana this precise question

[1] Vol. XVII, No. 11, p. 700, November, 1928.

[2] See note in NATIONAL MUNICIPAL REVIEW, Vol. XVI, p. 668, October, 1927.

came up in the case of *Public Service Commission* v. *Helena*, 52 Mont. 527, 159 Pac. 24, and the court there held that the term "special commission" did not include a general commission established by the state to regulate public utilities.

The position of the Supreme Court of Utah as voiced by the opinions in this case is that Section 29 of Article 6 was inserted in the constitution of 1895 to secure absolute home rule in the matter of municipally owned public utilities, except so far as the legislature might act directly. The rate-making power is a high legislative power, and it seems absurd to assume that the limitation of its exercise through a general commission could have been in the minds of the people when they adopted their constitution, at which time such administrative agencies were unknown. The attention of the court does not seem to have been called to the historical argument against the construction it puts upon this clause. As a result of the decision, due to coördinate provisions against special laws, the legislature is precluded from exercising any control whatsoever over the rates of municipally-owned plants. Whatever may be said of the value of such a result, it is contrary to that reached by the courts of the other states, and seems to be opposed to the general canons of construction of legislative powers.

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Zoning—Effect of Legislative Interference with General Ordinance.—An example of the unfortunate situations that may result from the interference of the municipal legislature with a general zoning ordinance by special amendments is found in the opinion of the Court of Appeals of Maryland in *Applestein* v. *Osborne, Inspector of Buildings*, 143 Atl. 666, decided November 16, 1928. The petitioner's predecessor in title in 1926 was twice refused a permit to erect a two-story building for store and apartment purposes in a restricted district, and the action of the building engineer was sustained by the zoning board of appeals and by the Baltimore City Court. In November, the city council passed an ordinance authorizing the erection of the building upon the site in question, and the owner immediately commenced construction. Upon the allegation that the owner had represented to the aldermen that there would be no opposition by the other property owners in the neighborhood, the council in February, 1928, repealed the ordinance. A bill by the owner to restrain the enforcement of the latter ordinance was dismissed, and later a permit was granted to erect a four-apartment building and the construction was resumed. After the building was completed the owner procured the introduction of another ordinance to authorize the use of the ground floor for stores, which was defeated. The owner later obtained a permit from the building engineer authorizing the use of the building for store purposes, but upon the appeal of protesting neighbors the zoning board of appeals, without taking any testimony and without assigning any reasons, reversed the order and disapproved of the permit. The owner then applied to the Baltimore City Court for a mandamus against the city officials to compel them to issue the permit. The Court of Appeals dismissed the action upon the ground that the petitioner's remedy was by appeal, and not by an application for mandamus.

The Maryland courts have limited the zoning power to cover cases where it appears from substantial evidence that the proposed use will create hazards from fire or disease and menace the public health, security or morals. The instant case illustrates the complications which are bound to arise under so limited an extension of the zoning power, where the majority of the community seek a real protection of their property values. The habit of some zoning boards of appeal, as in the instant case, to act arbitrarily also tends to defeat the proper enforcement of zoning provisions. In the contest in the instant case, the refusal of the board of appeals to act in a judicial manner will probably result in the establishment of the encroachment sought to be prevented.

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Powers—Redelegation—Designation of Streets as Arterial Highways.—The general highway traffic law of the State of New York provides that "local authorities in cities and villages of the first class may by ordinance designate certain streets as main arteries of travel and require that all vehicles approaching a main artery of travel from an intersecting street shall, before crossing or turning into same, come to a full stop," and that "conspicuous signs or signals shall be displayed at all points where the rule prescribed by such an ordinance is to be observed." (Sec. 22, subd. 1-a, added by-laws 1926, c. 508.)

In pursuance of this authority the common council of the city of Binghamton by ordinance authorized the commissioner of public safety to post by legible signs marked "Stop" any street approaching a congested street intersection, and

the defendant, who was charged with passing a sign so erected without coming to a stop, contested the validity of the ordinance on the ground that it was inconsistent with the statute. The question raised could hardly have been presented in a situation more clearly within the well-settled rules that the prescription of a method of exercise of the power precludes its exercise in any other manner, and that the exercise of any discretionary power cannot be redelegated by the agency to which it has been committed, and the city court of Binghamton, upon these grounds, properly dismissed the complaint.

However, it is noteworthy that the court considered the case "unique in that it has never been passed upon by the higher courts," and without "authorities covering the specific question here determined," and recommended an appeal because the question involved "is of extreme importance, and will come up before the police courts in practically all of the cities and villages of first class throughout the state where the ordinance as adopted is inconsistent to and does not comply" with the provisions of the statute involved. (*People* v. *Gorman*, 231 N. Y. S. 85.)

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Torts—Municipal Liability Under the Highway Law for Acts of Police Officers.—The rapidly spreading impression that the liability of municipal corporations in tort should be extended, and that their immunity from action for negligent acts of their officers and employees while engaged in the discharge of so-called governmental functions should be restricted has been reflected in the recent decisions of the courts of New York, extending the application of Section 282e of the highway law to situations where no common law liability exists. This section provides that "every owner of a motor vehicle operated on a public highway shall be liable and responsible for death or injuries to person or property resulting from negligence in the operation of such vehicle, in the business of such owner or otherwise, by any person legally using or operating the same with the permission, express or implied, of such owner."

In the November, 1927, issue, we reported the decision of the Supreme Court in *Jones* v. *Town of Clarkson*, 130 Misc. 57, 223 N. Y. Supp. 611, in which Justice Rodenbeck held that a town performing a governmental duty in repair of a highway would under this statute be liable for the negligent operation of a truck. In April, 1928, Justice Norton, of the Supreme Court, Niagara County, in *Kelly* v. *City of Niagara Falls*, 131 Misc. 934, 229 N. Y. Supp. 328, held that the statute covered the case of a police officer in his line of duty operating an automobile provided for his use by the city. In both these cases the court held that the statute was comprehensive enough to effect a change in the common law liability of municipal corporations.

In *Lacock* v. *City of Schenectady*, 231 N. Y. Supp. 379, decided by the Appellate Division, Third Department, the plaintiff's intestate was killed by reason of the negligence of a police officer, who was operating a motorcycle owned by the defendant city. In reversing the trial court, which had refused to grant a motion to dismiss the complaint, the court thus limits the application of the statute in question:

> In our opinion, this provision does not apply to municipalities when acting as agencies of the state. We have shown above the nature and extent of the immunity from action had by a city because of its acts, or the acts of its officers performed while acting as a state agency, in organizing and controlling a police force. An immunity so grounded admits of no exception other than the Legislature has enacted; it is not taken away by legislation not specific in its meaning. (Matter of Hoople's Estate, 179 N. Y. 308, 311, 72 N. E. 229.) While the state may give its consent to be prosecuted by action, a general statute, by implication, does not give the required consent. Such consent must be expressed in unequivocal language. Consent to the prosecution of a city for its acts or omissions when, as the agency of the state, exercising general governmental powers conferred upon it, must be expressed with like language. I do not find such language in this act. It seems absurd to say that the Legislature, by its general language in this section of the Highway Law, intended to change the long-recognized rules which have application here. "The thought behind the phrase proclaims itself misread when the outcome of the reading is in justice or absurdity." (*Surace* v. *Danna*, 248 N. Y. 18, 21, 161 N. E. 315, 316.)

These several opinions indicate not only a conflict in applying the canons relating to the interpretations of statutes, in which the appellate court seems to have the better of the argument, but also in the relative appreciation of the interests involved. The number of fatal accidents resulting from the operation of fire trucks at excessive speed through crowded thoroughfares during the past few months calls for some such extension of municipal liability as is sensed by Justices Rodenbeck and Norton. Evidently the reform can come only through legislation, but the conditions of highway traffic at least demand such action in the near future.

PUBLIC UTILITIES

EDITED BY JOHN BAUER
Director, American Public Utilities Bureau

Boulder Dam Bill Approved by President Coolidge.—The first tangible result of the recent presidential election—in which the problem of hydro-electric development was prominent—is the final passage of the Swing-Johnson Boulder Dam Bill, which was signed by President Coolidge on December 21, 1928. This authorizes an appropriation of $165,000,000 for the construction of a dam in the Colorado River, together with other developments for flood control, irrigation, and power developments in the area affected.

The precise plans, with all the details and specifications of what exactly will be done, have not been determined. The larger project depends still upon a compact to be signed by the particular states affected. It depends also upon the discretion exercised by the secretary of the interior, under whom the project will be developed. The dam itself, it is said, will be the highest that has ever been constructed; 550 feet above stream level. It will impound immense quantities of water—26,000,000 acre feet—and thus will not only regulate the floods to which the lower Colorado sections have been subjected, but provide water for irrigation and new development of fertile territories; and it will furnish hydro-electric development of 1,000,000 horsepower capacity.

The discretion of the secretary of the interior appears particularly in regard to power policy. The development itself will be financed and managed by the government. Apparently, also, the power plants themselves will be operated by the government. From then on, however, the bill permits alternative procedure; government operation of the system, or private operation upon conditions which will protect the public interest and assure low cost to the consumers. In fixing the exact terms, a clear conception of sound public policy is essential, if the advantages of public development at public credit are not to be lost to the ordinary consumer.

The special danger is that the contracts will rely upon the state machinery for ratemaking, which, in most instances, is not sufficiently effective to furnish the needed protection to the public. The great step, however, has been taken. The compact between the states will undoubtedly be speedily carried out; construction will be promptly started; and another great public project established. This is an immense step in "socialism,"—which may be somehow distinguished by the administration sponsoring it, but which, nevertheless, is a long departure from the "individualism" so emphatically sought by both outgoing and incoming presidents. Before many years, Americans of all shades of opinion will be proud of this collective enterprise. Obviously, however, this does not spell that all business should go socialist, or that all utilities should of necessity be turned over to public ownership and operation.

✻

Super-Power Progress.—On January 10 public announcement was made of the organization of a new company which appears to move a long step toward a great super-power system under bankers' control. Through joint action of J. P. Morgan & Co., Drexel & Co., and Bonbright & Co., the United Corporation was organized under the laws of the State of Delaware.

This company will take over the stocks heretofore held by the American Superpower Corporation in the United Gas Improvement Company, the Public Service Corporation of New Jersey, and the Mohawk-Hudson Power Corporation, added to the stocks held by the organizers. It is estimated that the new company will own about a third of the common stock of the three large holding groups. While it is in the form of an investment company, it will bring about substantially unification as to policy and control of all the properties, said to be worth in the aggregate about $2,000,000,000. It is assumed that the new corporation will bring under its domination the generation and transmission of practically all the power in the central Atlantic states, from the St. Lawrence to the Potomac.

While the control thus indicated is enormous, it involves many other ramifications. It is closely identified with the Electric Bond and Share groups and the Mellon interests, including the Koppers. It appears to extend also to the

new consolidations in the city of New York. These developments are, of course, inevitable under present conditions; and on broad, economic grounds are, doubtless, justified. Widespread control and unification is essential, if the advantages of low power production at principal points of supply are to be realized by industry and population over wide areas. There is, however, also the fact that with the additional centralization of control, the prevailing system of state regulation in the public interest may become increasingly helpless and futile.

We do not, by any means, oppose these great movements which, in their nature, involve economic progress, but we do think that they emphasize the necessity of reconstituting basically our methods of regulation to cope with present-day conditions.

✠

Is Interstate Regulation Needed?—The rapid holding company developments in recent years, as emphasized by the organization discussed in the preceding paragraph, brings to the forefront the question that was raised by Professor C. O. Ruggles, of Harvard University, at the meeting of the American Economics Association in Chicago on December 28, 1928. Professor Ruggles discussed the holding company situation, together with other phases of regulation affecting, particularly, the electric industry. Among his recommendations was the establishment of interstate regulation, to fill the gap that exists in state regulation in dealing with interstate relations.

While at the present time the amount of power generated in one state and transmitted for use in other states is small, compared with the aggregate of electric consumption, the interstate situation does create a real problem in many communities and doubtless will become increasingly serious in the immediate future. Within the next ten years, there will probably be a power pool established including the New England states, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and possibly other states. In this district, not only will electricity flow in large volume from state to state, without regard to boundaries, but the control exercised by the management is bound to be of an interstate character. An increasing proportion of the services and operations will be furnished through holding companies with interstate relations, instead of the local operating companies, with exclusive, intra-state residence. In view of the actual and prospective interstate developments, Professor Ruggles's suggestions are extremely timely and deserve active consideration by students and groups responsible for the public interest.

✠

Retailing of Electricity by Sub-Meter Companies.—In recent months the New York and New Jersey commissions have become concerned with the retailing of electricity by apartment house owners or special sub-meter companies. The practice is to install a single master-meter in large apartment houses, and then to retail the current to the tenants. The owners in sub-meter companies pay the wholesale rate available through the combined demand of all tenants, and charge the retail rate fixed for domestic consumers.

This practice is based upon two main considerations. The first is apartment house convenience. There are advantages for the management to take responsibility for all services rendered, including the supply of electricity, together with heat, water, etc. Even if the profit from retailing is small, there is substantial reason for the concentration of functions in the house management. But the second and probably chief reason is the profit available in the difference between the wholesale and retail rates. Apart from the unification of house services, we quite agree with the contention of the electric companies that there should be no separate retail agency to step in between them and the ultimate consumers. At the same time, the very fact of this development goes to indicate that we have been correct in our past contentions that the wide "spread" between retail and wholesale rates, which exists in most electric schedules, is unwarranted under present conditions. While, of course, rates to domestic consumers must be higher than for large power users, there is no reason for the large "differentials" that commonly prevail. In New York City and in New Jersey domestic rates are five to six times as high as power rates. Apart from a reasonable service charge, what justification is there in this wide spread of rates between consumers?

If in New York City or in the metropolitan district of northern New Jersey an apartment house management or a sub-meter company can make a profit on the difference between the wholesale and retail rates, after installing on its own account individual consumer meters and paying all the expense of maintenance and service, we

feel that there is strong indication—if not absolute proof—that the domestic rates are excessive in relation to wholesale rates, and ought to be reduced. There should not be so wide a margin that an efficient separate management can draw a profit from the spread. The differential should be based upon the additional cost of service imposed by the retail service compared with the wholesale rate. This would leave no "profit" either to the house management or sub-meter company, and would thus automatically dispose of the sub-meter problem.

In New York City the invasion of the sub-meter has been much more extensive than has been commonly assumed. Matthew S. Sloan, president of the New York and Brooklyn Edison companies (both under single control and management), testified on January 7 before the New York commission that the sub-meter companies charge their customers about 2.6 cents per kw.h. more than they pay upon the wholesale basis, and collect about $14,000,000 a year more in revenues than they pay to the electric companies. He asked for the abolition of the sub-meter arrangement, or permission not to furnish electricity at wholesale rates to be retailed by others, and promised to pass on to the consumers a large proportion of the spread now retained by the outside concerns.

The New Jersey commission on December 11, 1928, sustained the electric company's position, refusing to install master meter in connection with outside sub-meter arrangements. The New York commission has not yet rendered a decision; the matter is up for consideration also in other states. We believe that the New Jersey commission is right in its position, but the problem probably cannot be permanently disposed of until the rate schedules eliminate the profit available between wholesale and retail rates. What will the commissions do in regard to this basic condition?

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Service Charge Further Extended.—The matter of a "service" charge is continuing to occupy the attention of the commissions. The object is to fix a "consumer" charge of about $1.00 a month, to be paid whether any gas or electricity is used; then add a commodity rate for the quantity of gas or electricity consumed per month.

The object of the service charge is to prevent outright loss on the smaller consumers who under the old "flat" rates do not use sufficient gas or electricity to cover the "out-of-pocket" costs incurred on their behalf by the companies. That there is a proper basis for such a service charge, there is no doubt. A company does incur certain regular monthly or periodical expenses which are closely identified with consumers, and which have no dependence upon the quantity of gas or electricity consumed. Such costs include, especially, meter reading, billing, consumers' accounting, and collection; also, perhaps, certain other costs might be properly incurred. What these costs properly amount to in the aggregate per consumer per month, depends upon individual cases. The determination, however, depends particularly upon the method of cost apportionment or allocation used in the analysis. The difficulty in the "service" charge cases, has not been one of general principle or policy, but of the precise method or basis by which the various costs should be specifically allocated upon a consumer basis, not only in justice to the company but also to the small consumers.

As reported in this department last month, the Massachusetts commission rejected a service charge of about 86 cents per month per customer, proposed by the Boston Consolidated Gas Company, as it had previously rejected a service charge of $1.00 a month. It found that a proper charge would not materially exceed 50 cents a month, and therefore permanently rejected the new schedule.

Two such cases relating to two companies serving New York City consumers have been pending for over a year before the New York public service commission. In these cases, the companies' witnesses were subjected to thorough cross-examination in regard to the methods of apportionment used, and the indefinite basis of most of the allocations was clearly shown. On the city's and the consumers' side, there was a special study made, which limited the consumers' allocations to those costs which unquestionably are due to the consumers as such, without any dependence upon the quantity of gas or business operations in general. The commission has now taken more than six months to study the facts and issues, and, it is hoped, will come to a sound conclusion as to public policy.

The Public Service Gas and Electric Company, which serves practically the entire metropolitan district of northern New Jersey, as well as other sections of the state, filed a schedule to become effective January 1, 1929, which would charge $1.00 per consumer per month for 200 cu. ft. of

gas or less. While this includes a small quantity of gas, as was the case in the two New York schedules, in reality it constitutes a "service" charge and is properly so regarded. There was widespread opposition to the new schedule among smaller consumers and officials of a number of municipalities. Upon complaint and petition, the board of public utility commissioners has suspended the schedule until April 1, and in the meanwhile is making a special investigation both as to the propriety of the service charge in general, and as to the amount which may be reasonable or necessary under the particular circumstances.

On December 22 the Georgia public service commission established service charges for the Georgia Power Company applicable to both gas and electricity. For the latter it fixed a charge of $1.11 per month for meters of 10 amperes or less, and $2.22 per month for meters over 10 amperes. For the energy charge, it fixed $5.55 for the first 50 kw. h. per month (or at the rate of 11.1 cents per kw. h.); $3.33 for the next 150 kw. h. per month (or 2.22 cents per kw. h.); and 2.22 cents per kw. h. for all over 200 kw. h. per month. In the new gas schedule the rate is $1.00 per month for service charge, with a commodity charge of $1.40 per 1,000 cu. ft. for the first 1,000 cu. ft. per month, and $1.10 per 1,000 cu. ft. for all over 1,000 cu. ft. per month. A discount of 10 per cent is allowed for prompt payment on all electric bills, and 10 cents per 1,000 cu. ft. on gas bills.

From our personal experience in the analysis of consumer costs, it is difficult to see how the Georgia commission could reasonably come to the amounts fixed for service charge in both the gas and electric schedules. It is, of course, possible to adopt methods of cost apportionment that will bring the particular result, or even greater amounts. That the company presented such analyses, we have no doubt. We are wondering to what extent the apportionments were subjected to critical analysis on the part of the commission or the consumers. Even in regard to the energy schedule, it would be interesting to know just what calculations were made to obtain the results. The object was to fix such rates as would stimulate the extension of use to all sorts of domestic electric appliances. The schedule places a very heavy burden upon the smaller consumers who may not be benefited by such an extension of utilization.

Besides the $1.11 per month paid for service charge, the additional rate for the first 50 kw. h. is $5.55, or at the rate of 11.1 cents per kw. h. This, taken by itself, is a high rate, even if it were not added to a service charge of $1.11 per month. The schedule as published indicates, moreover, that the full schedule amount must be paid for the 50 kw. h., whether it is consumed or not. The result is, of course, a substantially higher rate for the mass of small consumers. A consumption of 50 kw. h. per month represents a considerable domestic use, and exceeds the amount found among the great majority of domestic users. The schedule thus imposes a very sharp increase upon the small consumers, without revealing the basis upon which the new rates are predicated.

Assume that a family actually uses 50 kw. h. a month; its total bill is $6.55, or 13⅓ cents per kw. h. But suppose it uses only 30 kw. h.,—which is probably nearer the domestic average,—its bill would still be $6.55, or 22.2 cents per kw. h.

MUNICIPAL ACTIVITIES ABROAD

EDITED BY W. E. MOSHER

Municipal Press Bureaus.—One of the outstanding results of the revolution in Germany is the development of interest in the work and achievements of local government. This is due to the fact that the municipal units have taken on a democratic character as compared with the pre-war period. As a consequence numerous press bureaus have been founded not alone in the large but also in small cities, for the purpose of bringing promptly to the attention of the citizens of any given community information concerning the activities of the city. This has led to the organization of a union of municipal press bureaus in which thirty German cities participate including practically all of the large ones. The purpose of this union is to provide a clearing-house concerning the organization of the press bureau, its relation to the administration, and the methods of collecting and distributing information, as well as the transfer of information that would be of interest to the various members of the union.

The significance of this movement can be judged on the basis of the increase in the number of press bureaus as compared with the time before the war. Up to 1912 there were but three, whereas in 1927 there were seventy-six, comprising a great majority of the German municipalities.

It is interesting to note that twenty of the cities have independent central organizations for the dissemination of news. These include most of the important cities such as Berlin, Munich, Leipsig, Breslau and Cologne. In other cities the press bureaus are identified or associated with various standard administrative bureaus, such, for instance, as the statistical or accounting bureau. The author recommends the advantages of an independent organization.

So far as the relation to other administrative units is concerned the larger cities have placed the press bureaus directly under the burgomaster.

Since the success of any reporting organization will depend upon its ability to turn to original sources for information, attention is then given to the right of the head of the press bureau to participate in the sessions of the council, important committees and the like. In other words, he must be thoroughly informed and probably the best informed member of the administration if he is to maintain his prestige with the representatives of the public press. It is significant that the heads of the news service have the right to participate in the meetings of the magistracy, of the city council and committees in a number of the more important German cities. This list includes Berlin, Breslau, Frankfurt, Hanover, Munich, and Stettin.

Some notion of the importance of the activities of this bureau may be gained by referring to the number of assistants enrolled on its staff. In Berlin there are ten assistants, in Magdeburg seven, Mannheim five, Munich four, and in Leipsic four.

In a number of cities it is customary to publish an official periodical. Sometimes this paper is published exclusively for officials, at other times for general consumption and occasionally for both purposes. Berlin, Düsseldorf, Elberfeld and Stuttgart are the cities that have both types of publications. From the above it will be apparent how widespread the interest is in keeping the public fully informed concerning what is going on within the city administration. The continuation and expansion of these press bureaus are an indication of the interest in local public affairs among German citizens.—*Zeitschrift für Kommunalwirtschaft*, September 25, 1928.

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Public Ownership.—1. The extent to which public ownership has expanded in Germany is shown in an address given by a member of the German League of Municipalities, Dr. Loeser. Figures are given for public enterprises in water works, electrical works and street railways, harbors, slaughter houses, markets and savings banks. According to the data submitted the majority of the cities now supply their own water. Of the seven and one-half million kilowatt hours of energy generated in 1925, four and one-half million were produced in municipal electrical works. In 1926 almost 90 per cent of the gas sold was made in municipal undertakings. Seventy-five per cent of the street railways are under communal control. Twenty-one of the

thirty-five large harbors on the Rhine are public enterprises. Of a thousand slaughter houses throughout the country only fifty are carried on by private individuals or groups. In Prussia there are 1,447 savings banks of which 724 are municipal, and 687 are under the control of larger administrative units.

The author concludes his paper with observations concerning the fact that municipal public works maintain a scale of prices that is higher than it should be. He charges this to the fact that the public industries are called upon not alone to supply such commodities as water and gas to their citizens but also to furnish a surplus for the purpose of meeting other municipal expenses. In other words, public enterprises are used as a source of taxes. This condition seems more or less inevitable in view of the fact that the Empire and state have seen fit to infringe so largely upon the revenue sources of the local communities, thus making it necessary for the communities to translate a federal or state tax into an indirect communal tax. The only possible relief for the situation is that there shall be a reform of taxation methods through the country as a whole.—*Zeitschrift für Kommunalwirtschaft*, September 25, 1928.

2. In spite of the acknowledged relatively high prices which are generally charged by the municipalities for industrial services it is maintained by another writer, a former minister of state (Dr. Wendorff), with respect to electricity, that the great majority of the cities providing electricity for domestic service are offering it at 17 per cent lower rates than those charged by private companies. Even after making provision for the amount of revenue paid in the form of taxation there still remains a difference of 5 per cent between the average public and private prices for current to small users.—*Der Städtetag*, October 20, 1928.

3. A committee appointed by the Board of Trade in England and presided over by Sir Arthur Balfour for the purpose of inquiring into the conditions and prospects of British industry and commerce recently issued a volume entitled *Further Factors in Industrial and Commercial Efficiency*. A section of this survey is devoted to the trading enterprises of public authorities. It limits itself to a consideration of the undertakings for supplying gas, electricity, water and tramway services. So far as the data go there is no basis for concluding that there is a material difference in the general level of efficiency between publicly and privately managed utilities. The extent of public enterprise may be understood when it is pointed out that 80 per cent of the water supply, two-thirds of the electricity, and 40 per cent of the gas are provided by the municipality. In the case of gas it appears that the revenues received in 1925 for a thousand cubic feet sold were four shillings and seven pence for municipal undertakings and five shillings and two pence for other undertakings. It is stated that the private concerns must pay a heavier toll for interest than the public. While the latter average 5 per cent on its borrowings, the former pay an average of 5.25 per cent on loans, 5.69 on preferred stock and 9.41 on the common.

Although the investigation of public trading is only incidental to the general survey being carried on by the committee, those who believe in the possible efficiency of public undertakings find comfort and some significant data which lend support to their point of view.—*The Local Government News*, December 1928.

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The Cities as Real Estate Owners.—On account of the rapid increase of the population within the cities and the constant increase of land prices, a movement was launched in Germany some years ago looking toward the purchase of desirable real estate by the municipality itself. Even before the war many cities had succeeded in bringing a considerable part of the area within the city limits into the possession of the city. The following figures have recently been brought together in the Statistical Yearbook of the German cities for the purpose of showing the extent of real estate ownership on the part of the cities. The percentages leave out of account the streets which naturally also belong to the cities. In Cologne 27 per cent of the space within the city limits, in Leipsic 34 per cent, in Dresden 20, Breslau 27, Frankfurt-am-Main 46, and in Hanover 26 per cent of the whole area is in the possession of the city.

Various possibilities as to how the cities may make use of their large holdings are outlined in the article under review. In the first place it is pointed out that the city needs more and more space for its own buildings and grounds. One need think only of the expansion of schools in this connection. Secondly, it is possible for a city to develop its housing policies if it already has at its disposal land bought at reasonable prices. Then again it is possible for it to lease its own land to organizations or individuals

whose purpose it is to build and rent dwellings at reasonable prices. Thirdly, a commune is able in times of financial stress to borrow at advantageous rates on its holdings of land, or even to sell in order to carry out one or another social policy for which funds are not available.

In case it sells, provisions can be made in the contract that the commune alone has the right to buy back the property, or that the property, with whatever buildings have been constructed in the meantime, shall automatically return to the city at the end of an agreed upon period.

The policy of purchasing land by city administrations is also justifiable on the ground of social hygiene. More and more emphasis is being laid today upon the importance of open spaces, parks and even forests in connection with the recreational and health program.—*Gemeinwirtschaft*, No. XII, 1928.

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The Menace of Slippery Streets.—On account of the large number of accidents in which injury is done to human beings or damage to materials, a movement has been launched in Prussia to investigate conditions that make streets slippery and dangerous.

The present Bureau of Standards undertook to study this question at the request of the Berlin union of asphalt street construction. The result of this investigation which was carried on along chemical lines goes to show that it is not possible by established method thoroughly to clean streets paved with asphalt. The chief task of reducing the menace of slippery streets is the task of properly cleaning them.

A careful investigation was made to indicate the character of the deposits upon the street for the purpose of determining how this deposit might be dissolved or completely removed. It was found, among other things, that 20 to 35 per cent of the deposit consisted of small segments of asphalt and 20 to 25 per cent of sand and clay material. In addition there were small amounts of sulphate of calcium and magnesium. The remainder of the deposit was composed of organic materials of various sorts. There were also noticeable amounts of mineral oils which were derived from the asphalt on the one hand or dropped from automobiles on the other. Incidentally there were small amounts of rust, bits of wood, bits of wool and leather. In some seasons of the year, of course, one finds leaves, blossoms and certain fruits. One striking observation was that there was very little evidence of rubber material. This is explained as due to the fact that rubber is thoroughly utilized or oxidized. Part of these substances are dissoluble in water through the influence of atmospheric conditions.

In the light of the above information, various experiments were made. The first was the use of distilled water instead of the customary hydrant water. This increased the success of cleaning, but proved to be far from satisfactory. Secondly, soap suds were mixed into the hydrant water. The results of this combination were very satisfactory. Objections may be raised, however, to it on the ground of cost, and also because the calcium element in the soap and the calcium salts in the water combined leaving an insoluble residuum. This, of course, must be looked upon as a serious defect. The third experiment reported in this summary is the use of soda instead of soap; 3, 2, 1 and ½ per cent solutions of soda were tried. It was found that the 3 per cent and 2 per cent solutions gave very satisfactory results. The coating of dirt was quickly and completely removed from the pavement. Even the 1 and the ½ per cent solutions of soda proved to be useful particularly where dirt had not been allowed to accumulate for some little time. The chief disadvantage of soda is that it dissolves comparatively slowly and not completely in the cold hydrant water.

Finally experiments were made with a 1 per cent solution of sodium hydroxide as well as with a 1 per cent solution of this chemical and a similar solution of water glass. The former seemed to operate more successfully in a number of cases than the latter.

The conclusion of the investigation is that it is possible fully to dissolve or eliminate the dirt covering which is found on asphalt pavements. Whether soda, *natron lauge* or water glass is preferable is to be determined on the basis of further experimentation.

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Gas Attacks.—Strange as it may seem, the European cities are confronted with the preparation for gas attacks in case of another war. In the International Union of Cities two representatives have been appointed to a commission which was organized under the stimulation of the International Red Cross. This latter organization considered that one of its foremost and most important functions at the present time is to bring about comprehensive organization in all large centers of population for defense against gas. This includes the provision of properly

sheltered places, the organization of squads to give first aid and to clear the atmosphere. It calls for the storage and protection of food and water and other necessary supplies against contamination. It looks toward the education and training of the civil population to insure discipline in case of such an attack. Finally the commission urges that the committee of the International Red Cross shall serve as a clearing house for all pertinent information concerning possible methods and devices that might serve the purpose of combating this type of warfare on civilians.

It is reported further that a commission has already been appointed in London to deal with this problem, so far as it affects the capital city of England. One of the outstanding suggestions that has been considered is that there shall be built under the squares of London a network of vast garages for automobiles in tiers four or five stages deep. The preliminary discussions also deal with the distribution of gas masks among all the population, the provision of a chamber in each house which has been made impenetrable as far as gas goes, the training of a corps of specialists who are protected by masks and proper garments for the purpose of neutralizing or dissipating the accumulation of gas in the streets. In spite of the enormous sums involved in carrying out these plans, the danger of gas attacks in the next war demands some such elaborate preparations.

From the preliminary report of the commission called under the auspices of the Red Cross and of the English commission consisting of representatives of the Ministry of the Air, the Home Office, Scotland Yard, a number of chemists and specialists, it becomes clear that a new branch of municipal administration is likely to be established. If established along the lines proposed it will lead not alone to the expenditure of stupendous sums but also to a preparatory organization of practically the whole civilian population.—*Le Mouvement Communal*, July, 1928.

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Clarifying the Budget.—The budgets of the German communes are characterized by a recent writer as books with seven seals. The inevitability of misunderstanding on the part of the laymen is assumed in view of the methods of presenting budgetary material. The critic takes the budget makers to task first of all because they are accustomed to give gross figures which make an accurate analysis impossible. He makes a plea, therefore, for net figures in each of the several sections of the budget. This implies a separation of such "gross ballast" as subsidies from without and the transfers of funds among the various accounts. It is then proposed to make comparisons and submit unit figures. Comparisons are suggested both within the government concerned and with outside jurisdictions of similar character and size. Finally, for purposes of discussion, a scheme for presenting income and disbursements is outlined as follows:

INCOME

Imperial subsidies
Communal taxes and contributions
Taxes on real estate
Fees and penalties
Income from investments including real estate, and rentals
Surplus from industrial enterprises

EXPENDITURES

General administration and welfare
Education and culture
Traffic
Public safety
Interest and amortization
Special functions such as housing construction, cultural purposes, and other improvements

A distinction is made between what is called the productive and the unproductive expenditures. General administration is considered unproductive and should, therefore, be reduced to the lowest limit. On the other hand, welfare, education and culture are considered the basic activities of the commune and should, therefore, be increased to the fullest possible extent.—*Gemeinwirtschaft*, No. XI, 1928.

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Bureau of Research.—The Fabian Society has recently organized a Bureau of Municipal Information and Research for the purpose of answering inquiries and requests for information concerning municipal activities. This bureau is supported by annual subscription, five shillings per member. The suggestion has met with a gratifying response in that more than one hundred members have already been enrolled.

An additional feature outlined in the prospectus is that at least one conference a year shall be called so that all members may meet one another and have the opportunity of discussing local government problems and policies.—*Local Government News*, December, 1928.

GOVERNMENTAL RESEARCH ASSOCIATION NOTES

EDITED BY RUSSELL FORBES

Secretary

Recent Reports of Research Agencies.—The following reports have been received at the central library of the Association since December 1, 1928:

The Ohio Institute:

County Welfare Organization in Ohio.

St. Louis Bureau of Municipal Research:

New Garbage Dock Needed.

Committee on Uniform Crime Records, International Association of Chiefs of Police:

A Guide for Preparing Annual Police Reports.

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California Taxpayers' Association.—The Association is engaged in the dissemination of facts pertaining to the adoption by the legislature of a law which will establish a county unit system of school administration in California. The Association recently published a twenty-page pamphlet setting forth the findings of its educational commission in the study of the California school system.

The Association will present a special assessments program to the legislature which will contain the following salient features:

1. Limiting the amount of assessments possible to be levied against any property to the equal of its assessed value.

2. Where needed in cases of large districts, amendments will be offered to give more time in which to file protests.

3. In acts where the basis of protest is not in accord with the basis of assessment, amendments will be offered to make the bases the same. This refers to acts where the basis of protest is area but the basis of assessment is value.

4. An amendment to provide for contracts to be paid in cash instead of in bonds, and for progress payments.

5. An amendment to perfect the arrangement whereby the taxpayer will receive notice of delinquent payments on his tax bill before the whole of both principal and interest may be declared due and payable or foreclosure commenced.

6. A constitutional amendment which will make it possible for all trials in opening and widening proceedings to be heard before one tribunal so that all awards may be made on a like basis of appraisal by the same authority.

7. Amendment of several of the acts so as to increase the vote of the legislative body, in overruling a majority protest, from a four-fifths to a unanimous vote of all members.

The Association hopes that this session of the legislature will see the enactment of a law which will legalize the photographic record of public documents.

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Taxpayers' Research League of Delaware.—With the convening of the legislature and the inauguration of Governor C. Douglass Buck, the League is engaged in bringing to a head its study of the finances and fiscal administration of the state, and in formulating specific recommendations for the improvement of the state's accounting and financial reporting methods, budget procedure, system of revenue and taxation, sinking-fund administration, disposition of surplus funds for the retirement of bonded debt, use of serial bonds for future bond issues, centralized purchasing of state supplies, and other fiscal and administrative policies that may be included in the scope of the League's work. The League's assistance in these matters has been requested by Governor Buck, and much of the work has been done in close coöperation with the fiscal officers of the state. In its final stages, this work will also include conferences with state officials and meetings of prominent citizens for agreement upon conclusions and crystallization of public opinion.

Russell Ramsey, director of the League, has been elected chairman of the general section of the Wilmington Chamber of Commerce and serves *ex-officio* as a member of the Chamber's board of directors. On the recommendation of the general section, the Chamber has appointed a committee of business men to consider proposals for a substantial increase in municipal

expenditures. The League is coöperating with the committee in studying these proposals.

As an aftermath of its analysis of the accounting system of the town of Milford, the League by request acted as the agent of the regularly appointed auditors in making the audit of the town's accounts for 1928.

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Detroit Bureau of Governmental Research, Inc.—A report on the pension systems of the city of Detroit has been completed and will be distributed shortly. No detailed calculation was made of the actuarial deficit in the existing pension funds, but such deficits are estimated to total between $40,000,000 and $50,000,000. The report does calculate in detail the sum required to meet the demands of pensioners now on the rolls, plus funds paid in, that may be withdrawn, this deficit being in excess of $10,000,000. The report is designed primarily to point out the inequalities and shortcomings of the present pension systems, with a view to enlisting the interest of officials and the public in securing a thoroughgoing study of the situation by an official commission.

Several calculations have been made of the actual cost of existing and proposed purchase contracts on track and equipment entered into by the department of street railways. The first of these calculations indicated that the lowest bid for 100 street cars was about $100,000 greater than a fair price. At the instance of the controller and the mayor, these bids were thrown out and a bid for $109,000 less than the previous low bid was received. Calculations on existing contracts were made to ascertain the saving which would eventuate by a refunding bond issue which is now proposed.

Lent D. Upson, director of the Bureau, has been appointed chairman of a subcommittee on assessment procedure of the committee on state and local taxation of the Chamber of Commerce of the United States. Dr. Upson is also a member of a small committee of the faculty of the University of Michigan appointed to study the tax situation in the state.

As usual, members of the Bureau staff are serving as member-secretaries of a dozen or more sub-committees of the governmental committee of the Detroit Board of Commerce which is analyzing and reporting upon the current city budget.

C. E. Rightor, of the Bureau, who served as secretary of two separate finance committees appointed by a previous mayor for the preparation of a long-term financial program for the city, is now coöperating with the mayor and city controller in the revision of these programs for presentation to the city council.

Following the refusal of the voters a year ago to place the county's capital improvements upon a pay-as-you-go basis, the Bureau coöperated with county officials in the preparation of a ten-year improvement program. This program, with a ten-year tax levy not to exceed 25 cents per $1,000 in any one year, has been officially approved. Wayne County is, therefore, one of the first in the United States to adopt a long-term building program on a pay-as-you-go basis. Incidentally, the governor of the state of Michigan is now presenting a similar building program to the state legislature.

The program to place the school system of Detroit on a pay-as-you-go basis within thirty years has been furthered by a reduction in the term of school bonds from thirty years to twenty years. The plan has received considerable public and official attention, and it is expected that a definite appropriation from taxes for school buildings will be made this year. This program, which was initiated by the Bureau, will eventually relieve the taxpayers from an interest burden of about $4,000,000 a year, and also free the bonding limit for other necessary purposes.

At the request of a member of the state legislature, the Bureau has undertaken the study of the possible consolidation of a number of upstate counties, which are sparsely populated and have a minimum of taxable wealth. The governor has recommended such consolidation in his recent message to the legislature.

Negotiations have been entered into with the civil service commission looking to a compromised amendment of the sections of the city charter dealing with the merit system. It is earnestly hoped that these negotiations will be successful, thus ending a disagreement between the commission and the civic agencies of the city that has continued for a number of years.

Numerous conferences have been held between the rapid transit commission, the Bureau, and several other organizations looking to a revision of the method of assessing the cost of rapid transit construction. While the principle of assessing benefits has been retained, the so-called proximity assessment on a square foot basis has been abandoned. The rapid transit commission and the street railway commission have recently been in conference on a joint plan of train-operated

subway and street car dips, and there is every indication that the construction of a rapid transit system will shortly be authorized.

Taxpayers' League of St. Louis County (Duluth).—Practically all of September, part of October, and part of November were devoted to budgets and tax rates. The tax levy for strictly city purposes for next year is about three fourths of a mill higher than the 1928 city rate. The increase in the amount levied is only $30,000, but because of a reduced valuation the higher millage is required.

Outside of the question of appropriations, the League was interested in having a sufficiently large sum levied in the sinking fund to take care not only of next year's requirements, but to have a sum left over so as to make unnecessary a large increase in the 1930 tax rate, when $300,000 in bonds will fall due. (But $175,000 mature in 1929.) To do this, a majority of the city council voted in favor of a levy of $235,000, which accorded with our recommendations.

In the county, the League was able to get $250,000 reduced from last year's road and bridge levy, but the benefit of the reduction was largely lost by increased appropriations for other purposes, most of which were unavoidable. The net result is a slight decrease in the county rate. The state rate this year is down 2.4 mills, which gives a net reduction in Duluth's total tax rate of 1.8 mills. Had it not been for the reduction in the state rate, we would have pursued a different policy with the city levy; but the city budget as now fixed for next year should make it possible to bring about a reduction in the city's levy for 1930, and in so doing, offset to some extent the increase which is certain in the state rate for that year.

County Road Program.—On December 17, 1927, the board of county commissioners unanimously adopted a resolution stipulating, first, that all highway work in the county shall be in charge of the county highway engineer, as is provided by law; and, second, that an adequate system of records and accounting of the road and bridge expenditures be set up.

The first part of this resolution was practically ignored by all districts except the fifth, and in the past few months by the second district.

The accounting system has been operated quite satisfactorily, but it is believed that more use could be made of the information that has been produced. In all events, at the end of the year there will be more pertinent information as to costs than ever before.

On August 20, 1928, a committee of five directors of the League was appointed to study this matter. They have had several meetings, and several outside persons have been added to the group.

Civil Service.—For some time the civil service commission has been laboring under the difficulty of a part-time secretary, with the result that a proper classification of salaries and positions could not be made, nor could adequate experience records be kept for the various employees, all of which is required by the charter. The League, in its written report, recommended the full appropriation requested by the civil service commission, which would have permitted a full-time secretary. The result was that the council made its appropriations on the basis of a part-time secretary, which proved unsatisfactory to the civil service commission. Later, in conference with the city commissioners, the League secretary was asked if the League would undertake this work. It has been made plain that the League does not seek to take on this work, but will do so only as a matter of public service, if the city desires it.

Special Assessments.—During the summer, considerable work was done on special assessments. The League secretary is a member of a committee of the Governmental Research Association on special assessments, and material was gathered for a report on this question, which was given to the Convention of the Association at Cincinnati in October. The work will be of particular value to Duluth when it comes time to spread assessments for the contemplated sewer program.

Charter.—The League secretary has kept in close touch with the proceedings of the charter commission, and recently submitted, at the request of the commission, a draft of a chapter on financial procedure.

City Jail.—The League has worked without success in the matter of housing city prisoners in the county jail. There is ample room in the jail for all city prisoners, and there is no good reason why arrangements cannot be made. The stubborn opposition of the sheriff is the only reason for the failure. It will cost the city at least $14,618 annually to continue the use of the old jail; whereas the county auditor believes that the cost to the city for renting and operating one floor in the county jail would not exceed $6,000.

Taxpayers' Association of New Mexico.—The director of the Taxpayers' Association of New Mexico, Rupert F. Asplund, has been appointed director of the budget by the governor of New Mexico. New Mexico has no agency for assembling the requests of the various institutions and departments, and for the sixth time the Taxpayers' Association has been requested to act for the governor in compiling the state budget for presentation to the legislature, which meets for a sixty-day session about the middle of January.

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Schenectady Bureau of Municipal Research.—The staff has completed its survey and premilinary report of the administration of charities in the city and county of Schenectady. The survey shows that, in a county having a population of 117,000, the administration of charities is being done by twenty-one different relief agencies with a total of over 200 employees. The policies and activities of these relief agencies are supervised by thirteen different citizen governing bodies whose total boards of direction include nearly 300 private citizens.

The twenty-one relief agencies consist of four in the city, five in the county, and twelve private organizations operating under the community chest. These are engaged in rendering various outdoor and indoor relief measures, their functions in this regard greatly overlapping. The total cost to the public appears to be about $563,000 per annum.

In the December issue we reported the activity of the Bureau in advocating the application of surplus revenues to the reduction of the succeeding year's tax levy. Our suggestion has been carried out. The total reduction, however, has been much more than the 17 cents indicated. Actually, the final budget, as approved by the board of estimate and apportionment, called for a rate of $23.75 per $1,000. Subsequently, the common council reduced this budget by $53,000 following which it was further reduced by the application of $128,000, estimated surplus revenues, making in all a total reduction of 94 cents per $1,000 of assessed valuation, or the equivalent of $9.40 on a $10,000 property.

Bureau of Civic Affairs, Toledo Chamber of Commerce.—The Bureau was opened on January 2, with J. Otis Garber as secretary in charge. The creation of the Bureau was the result of an extended discussion continued over several months by members of the board of trustees.

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Toledo Commission of Publicity and Efficiency.—J. O. Garber, former secretary of the commission, resigned, effective January 1. The commission has chosen as his successor, H. T. Shenefield, former instructor in municipal government at the University of Toledo. Mr. Shenefield is a graduate of the University of Michigan, having taken his A.B. in 1924 and his M.A. degree in 1928 in the field of political science, specializing in municipal administration. Mr. Shenefield is the third secretary of the commission to be chosen from the University of Toledo—Virgil Sheppard and J. O. Garber both having come from the faculty there.

A survey of the criminal branch of the municipal court of Toledo was published in the *Toledo City Journal* of December 15, 1928. The commission has been engaged for over six months on this study, covering the disposition of cases and the conditions surrounding the court during the first three months of 1928. The report showed that a person arrested had one chance in twenty-three of serving even one day in the workhouse, and that the judges arbitrarily marked one-fourth of the cases "off docket." Professional bondsmen were found to infest the court room and to hold secret conferences behind locked doors in the clerk of courts' office. Many peculiar entries were found on the court journal, which showed that judges often indulged in the practice of changing sentences after the original sentence was made in open court.

In all, the commission made fourteen specific findings and eight recommendations for the improvement of conditions. The publication of this investigation came at a time when state officials were in the city of Toledo investigating the conduct of local county officials and municipal judges in regard to wholesale release of liquor violators by supplemental orders of the judges.

AMERICAN MUNICIPAL ASSOCIATION NOTES

EDITED BY JOHN G. STUTZ
Executive Secretary

Fifth Annual Meeting.—The secretaries and directors of state leagues of municipalities met at the Hotel Richmond, Richmond, Virginia, November 12, 13, and 14. Nine state leagues of municipalities were represented at the meeting.

Mr. Morton L. Wallerstein, executive secretary of the League of Virginia Municipalities, and Ralph L. Dombrower, managing editor of the *Virginia Municipal Review* and the *North Carolina Municipal Review*, made excellent arrangements for the comfort and entertainment of the delegates.

Beside the members of the Association who appeared on the program, the Association was honored by Louis Brownlow, municipal consultant, City Housing Corporation, New York City, who gave an illustrated address on planning and building for the motor age. Mr. Russell Forbes, secretary, the National Municipal League, the Governmental Research Association, and director of the Municipal Administration Service, gave a very interesting outline of the work of his organizations, and Mr. Radford W. Rigsby, city manager of Durham, North Carolina, and president of the International City Managers' Association, gave a constructive talk on the objectives of city government. Mr. Oliver C. Short, Maryland State Employment Commissioner, discussed schools and municipal officials and the civil service.

The following officers were elected for the coming year:

President—Don C. Sowers, secretary, Colorado Municipal League, Boulder.
Vice-President—Harvey W. Draper, executive secretary, League of Texas Municipalities, Houston.
Executive Secretary—John G. Stutz, executive secretary, League of Kansas Municipalities, Lawrence.
Trustees—Dr. Richard R. Price, secretary-treasurer, League of Minnesota Municipalities, Minneapolis.
Sedley H. Phinney, executive secretary, New Jersey State League of Municipalities, Trenton.

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Committee Appointments.—President Sowers has appointed the following committees:

1. Representatives on the National Committee on Reporting Municipal Government. This committee is composed of two representatives from the National Municipal League, two representatives from the International City Managers' Association, and two representatives from the American Municipal Association.[1]

2. American Municipal Association representatives on the National Fire Waste Council as follows:

A. D. McLarty, executive secretary, Illinois Municipal League, Urbana.
Harold D. Smith, executive secretary, Michigan Municipal League, Ann Arbor.

3. Committee to draft a model constitution for a state league of municipalities as follows:

A. D. McLarty, executive secretary, Illinois Municipal League.
Dr. Morris B. Lambie, executive secretary, League of Minnesota Municipalities.
John G. Stutz, executive secretary, League of Kansas Municipalities.

4. Committee to compile and analyze the annual dues charged cities for membership in the state leagues of municipalities as follows:

Harold D. Smith, director, Michigan Municipal League.
Samuel Baker, secretary, Union of Canadian Municipalities.

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City Officials' Tour.—The American City Officials' Tour which is being sponsored by the American Municipal Association promises to have a good representation from the cities of the United States. There are now thirty-nine delegates scheduled to represent eleven cities.

In brief, the itinerary includes sailing from New York on the S. S. *Roma* March 9—land at Gibraltar—spend five days at the IV International Congress of Cities at Seville, also attend the Spanish American Exposition which will be in session there March 19–23. The party of American city officials will then visit Madrid, Paris, Brussels, Cologne, Berlin, Hamburg,

[1] The personnel of this committee appears in the League's Business Department of this issue.—EDITOR.

Amsterdam, and London, returning to New York on the *Berengaria*, which will arrive in New York April 19.

This is an unusual opportunity for city officials and others interested in civic affairs.

Major Chester P. Mills, president of the Morriss Service, Inc., a tourist agency, is in charge of the tour, with headquarters at 551 Fifth Avenue, New York City.

Those city officials who find it inconvenient to take the tour are urged to appoint one or more citizens to represent their city on the tour.

NEWS FROM THE STATE LEAGUES OF MUNICIPALITIES

Conference of Ohio Municipalities.—Following the annual convention of the National Municipal League, the city officials of Ohio met in Cincinnati to reorganize the Conference of Ohio Municipalities. Thirty city officials representing twenty-five cities were present. Murray Seasongood, mayor of Cincinnati, was elected president, and Emmett L. Bennett, secretary of the Municipal Reference Bureau of the City of Cincinnati, was elected executive secretary of the Conference.

The Conference of Ohio Municipalities is confronted with a state law which prohibits the cities from paying dues to such an association of cities. The new organization of the Conference of Ohio Municipalities plans to finance itself by having the cities retain the Conference as a consulting or service agency to the city at so much per unit of service.

*

League of Wisconsin Municipalities.—After more than seventeen years of service as secretary of the League of Wisconsin Municipalities, Dr. Ford H. MacGregor has resigned in order to give his full time to his teaching and to his work as chief of the Municipal Information Bureau of the University Extension Division. Dr. MacGregor's successor has not been announced yet.

Frederick McMillan is editor of *The Municipality*, the official organ of the League of Wisconsin Municipalities. His offices are located in the City Hall at Milwaukee.

*

Colorado Municipal League.—Dr. Don C. Sowers, executive secretary of the Colorado Municipal League and president of the American Municipal Association, reports that his organization has 79 members. This represents an increase of 18 members since January 1, 1928.

The League's legislative program this year will include a bill which will require state highways, located within the limits of incorporated municipalities, to be constructed and maintained by the state highway commission. Another bill will seek to exempt cities from payment of the state gasoline tax for gasoline used in motor vehicles or tractors owned and operated by cities. A third bill will authorize cities to operate airports and landing fields and incur indebtedness therefor.

*

Oklahoma Municipal League.—Dr. J. T. Salter, acting secretary of the Oklahoma Municipal League, reports that his organization now has 128 member cities, or an increase of 20 cities during the past year.

A survey is being made of the costs of paving in the United States. The following surveys and studies are in preparation:

1. Comparative Study of Police Forms Used in Representative Cities in the United States.
2. Municipal Histories of the State of Oklahoma.
3. Municipal Employment Standards.
4. Survey of Water Rates.
5. Scientific Appraisal of Property.
6. Uniform Municipal Accounts.
7. Standards of Fire Protection.
8. Local Indebtedness Statistics.
9. Uniform Building Code.
10. City Planning Legislation.
11. Chart of Operating Expense Account.

*

League of Nebraska Municipalities.—J. H. Hale, secretary of the League of Nebraska Municipalities, reports that his organization has 100 member cities. Thirty-five new cities have been enrolled during the year 1928.

A municipal directory giving the names of the city officials of the cities of Nebraska was published during the year. Plans are being made to revise a number of the Nebraska statutes governing municipally-owned utilities and the rights of cities, towns, and villages to sell municipally-owned utilities. An effort will also be made to secure legislation which will give authority to the cities having municipally-owned plants to extend transmission lines beyond the city limits for the purpose of supplying industries, airports and neighboring cities.

*

League of Texas Municipalities.—Harvey W. Draper, executive secretary, League of Texas

Municipalities, reports 113 member cities, which represents a gain of 9 cities during the year 1928. Membership promotion in Texas is a slow and difficult proposition. The cities are scattered over a wide area, which makes personal contact difficult.

Mr. Draper reports that a special effort is being made to get legislation allotting to Texas municipalities 15 per cent of the automobile license fees collected within the city limits. The state highway commission is sponsoring a movement for a $300,000,000 bond issue for the construction of state highways in Texas.

⚜

Illinois Municipal League.—A. D. McLarty, executive secretary of the Illinois Municipal League, reports that his organization has a heavy legislative program for the coming year which includes, among other things, the following items:

1. An amendment to the Illinois Commerce Commission Act of 1921 making it mandatory for the Illinois Commerce Commission to compile, publish and issue to interested cities comparative public utility rates in effect in all Illinois cities, villages and incorporated towns.

2. If a gasoline tax in Illinois be adopted it shall be divided on the basis of one-third to the state, one-third to the county, and one-third to the cities, villages and (incorporated) towns; the distribution in each class to be made in proportion to the amount of motor vehicle license fees collected by the state within each particular governmental jurisdiction concerned.

3. A law authorizing the establishment and maintenance of municipal utility districts for public utility services, including water, gas, light, heat, power, and transportation, similar to the creation of sanitary districts.

4. A law placing the control over buses operating solely within cities, villages, and incorporated towns, exclusively under the officials of the particular municipality concerned, this control to include both rates, service, routing, and to authorize municipalities to impose an annual tax per bus to be used for the maintenance of streets.

5. A law authorizing cities, villages and incorporated towns to exercise the power of excess condemnation for local improvement and city planning purposes.

6. A constitutional grant of home rule to the municipalities of Illinois which will enable them to exercise all reasonable powers of local self-government, and permit each municipality to frame and adopt such a plan of government as it may desire.

7. An amendment to the Motor Vehicle Act to make it unlawful for any person to operate a motor vehicle without a license issued to him by the state authorities after proper examination.

8. An act to increase the bonding power of municipalities from 2½ per cent to 5 per cent on full valuation, upon referendum to the voters.

⚜

League of Virginia Municipalities.—Morton L. Wallerstein reports that his organization has 72 member cities and towns, a gain of 9 during the year 1928. Plans are being made for legislation under the new constitutional provisions relating to excess condemnation and exemption of industrial enterprises from taxation. The League will probably also endeavor to have the Plat Act made available to towns and to have the counties empowered to prepare zoning regulations. The League of Virginia Municipalities will make its perennial attempt to secure a constitutional provision concerning special assessments at the next session of the legislature.

⚜

League of California Municipalities.—The veteran secretary of the League of California Municipalities, William J. Locke, reports that his organization has 240 members. A uniform plumbing code has been prepared and mailed out to the member cities.

⚜

League of Missouri Municipalities.—Russell Voertmann, executive secretary of the League of Missouri Municipalities, reports that his organization has a membership of 21. This represents a gain of practically 100 per cent during the past year.

The first annual convention of the League of Missouri Municipalities, held at Columbia, October 20, passed a resolution authorizing a service bureau to be established at Jefferson City to promote the legislative program of the League.

⚜

New Jersey State League of Municipalities.—Sedley H. Phinney, executive secretary of the New Jersey State League of Municipalities and director of the Bureau of Municipal Information, reports that his organization has a membership of 189 cities. This represents a gain of 13 during the year 1928.

A model zoning ordinance has recently been prepared and furnished to the member cities. The work was done by a special committee of

lawyers who were compensated for their work. A special bulletin on the success of zoning in the New Jersey municipalities is in preparation. A comprehensive city planning bill is in preparation based upon the police power and following closely the New York Planning Act.

The New Jersey Police Academy will open January 2, 1929, with a four weeks' course for forty men, and the same course will be given in February for another group of forty men. Applications for the training must be accompanied by a letter of appointment from the mayor or director of public safety. The permitted quota is three students from first class cities, two from second-class cities, and one from other municipalities. There will be little or no expense involved, as room and board, equipment and ammunition will be furnished gratis by the state police. The school is organized and is under the direction of Col. H. N. Schwarzkopf, superintendent of state police.

⚜

Michigan Municipal League.—Harold D. Smith, director of the Michigan Municipal League, makes an excellent report on the development of his organization. It should be remembered that the Michigan Municipal League was on the inactive list until November 1, 1927, when Mr. Smith was appointed director.

A legislative program of great importance has been formulated by the legislative committee. This program covers the following points:

1. Amendment to the tax law so that personal property taxes will be given preference over existing mortgages and liens in case of foreclosure.

2. A more equitable distribution of either the gasoline tax or the automobile tax.

3. Legislation to give the municipalities a share of the tax on land contracts, mortgages, bonds, etc.

4. Legislation requiring compulsory automobile insurance after the fashion of the Connecticut plan.

⚜

League of Kansas Municipalities.—The League of Kansas Municipalities reports a total membership of 472 cities. Thirty-six cities joined the League during the year.

The League's auditing and accounting department which is under the direction of W. C. Hail, senior public accountant, made audits for forty-one cities and boards of education during the year 1928. Of these forty-one, thirty were new clients. The League has revised city ordinances for fifty-eight municipalities. The ordinances for thirteen cities were revised during the year 1928.

The League of Kansas Municipalities is sponsoring a municipal code revision commission which will revise the state statutes relating to cities. It is also asking for $2,000 per mile for each mile of improved state highway street, $500 per mile of unimproved state highway street, $500 per mile or fraction of a mile of unimproved state highway street in the city limits, and $500 for each city not having any state highway connection.

⚜

League of Oregon Cities.—We are pleased to announce that the League of Oregon Cities has been reorganized with J. L. Franzen, city manager of Oregon City, as secretary. Mr. Franzen is interested in receiving information concerning the work of the various state leagues of municipalities.

One of the big jobs confronting the new organization will be to watch every attempt of the state legislature to encroach on the home rule powers of the cities of the state.

NOTES AND EVENTS

EDITED BY H. W. DODDS

St. Louis Plans River Front Improvement.—No better example could be cited of the technical progress of city planning in the United States, as illustrated in a definite plan for a single project of magnitude, than the plan for the central river front of St. Louis, presented in a booklet of forty pages by the St. Louis City Plan Commission, Harland Bartholomew, Engineer. This report is a fine example of constructive imagination applied to the solution of what has heretofore been a baffling municipal problem. It points the way to the solution of other modern problems in our great metropolitan centers of population.

The plan is the result of nearly two years of careful study. The present conditions from Third Street to the River opposite the Central Business District are the result of (1) the westward growth of St. Louis, due to the decline of early forms of river traffic; (2) inaccessibility of the river front, the streets being narrow and of heavy grade; and (3) obsolescence of many buildings.

The improvement of the St. Louis river front has been a subject of public discussion for a quarter of a century. The chief advantages secured through the plan are stated as (1) improvement in circulation through the increased street capacity; (2) parking space for automobiles and garage facilities on a large scale, the plan including provision for more than 8,000 automobiles; (3) stabilization of property values at the eastern end of the business district; (4) the checking of undesirable shifting of the business district; (5) utility and appropriate beauty combined, in that the proposed approaches to St. Louis by land and by water will be attractive and inviting.

Special mention should be made of the widening and double-decking of Third Street to a width of 140 feet from Poplar Street to Morgan Street. This is in some respects the most significant feature of the whole enterprise.

The total cost of the plan is estimated at $50,000,000, and is divided into two parts, following a natural construction program. The first provides for the double-decking of Third Street and approach thoroughfares and amounts to $19,000,000; and the second, for the River Front Plaza, amounts to $31,000,000.

It is proposed to meet the cost of this great single city planning project by a combination of public bond issue, special assessment benefits, and the resale or lease of certain properties, appropriately safeguarded. The report recommends an amendment to the state constitution, authorizing excess condemnation, which would permit the taking of additional land beyond that actually needed for the improvement, the extra land to be leased or resold under conditions to insure its development in harmony with the public improvements.

The controlling conditions, both physical and economic, are clearly set forth, the argument for the project is convincingly presented, and the illustrations, plans, cross-sections and sketches are all of marked merit, and so arranged as to give an adequate basis for judging the project. The frontispiece drawn by Mr. Hugh Ferriss, the well known artist, gives an excellent conception of the utilization of the River Front Plaza as it has been visualized by the City Plan Commission.

JOHN NOLEN.

Cambridge, Massachusetts.

A Subway for Milwaukee.—A transportation survey of the metropolitan district of Milwaukee, Wisconsin, made in 1928 by the McClellan and Junkersfeld Engineering and Construction Company, recommends that Milwaukee build a subway as the solution of its traffic problem. The study is understood to have been financed by the local transportation company. Opposition to the report and limited financial ability of the city to undertake new projects have prevented the city council from taking any action on this project to date.

While the survey may be considered a "transportation study" of the area, it is primarily a survey of influences of any sort which are now affecting or which may affect in the future the successful operation of the present transit facilities of the city. It is a painstaking and voluminously detailed work, however, packed with a mass of data as to living conditions, and reveals more than any other survey the general condition of the city and its inhabitants.

One peculiarity of Milwaukee deserves mention here. Milwaukee is one of the most congested cities in the United States. It is not until cities of more than a million people are considered that one will find density of population much in excess of Milwaukee. At the same time, the industries of the city are widely distributed throughout the entire metropolitan district, and of the total number of persons employed only 40 per cent work in the central business district. Of these 12 per cent come to work in private automobiles, 27 per cent walk, and 61 per cent are carried by public transportation agencies.

From the transportation company's point of view, the real solution of Milwaukee's traffic problem, says the report, will lie in the construction of a subway, and it is suggested that the city might furnish the capital to carry on this work. This question of financing is delicately handled by reviewing the situation in New York City:

> No city should take up the study of plans for rapid transit without contemplating the possibility that private capital may not be available for the whole project. New York City in developing its subways found itself in the position of regarding the subway as an underground street which it had to provide at its own expense just as it provided surface streets. Having done this, it found that arrangements could be made with private capital to lay tracks and operate cars in these subway streets just as they had been doing on surface streets.

VINCENT AND PAULA LYNAGH.
Milwaukee Citizens' Bureau.

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Philadelphia Begins Drive for City Manager Charter.—As a consequence of the campaign begun last autumn by the Committee of Seventy, a bill has been introduced into the Pennsylvania legislature to permit the people of Philadelphia to adopt a city manager–proportional representation charter for their city. If the bill passes it will establish an optional form of government for the city for possible adoption by the electorate. The measure follows closely the existing charter, making in general only those changes which are necessary to revise the method of election of the council and to provide a manager as chief executive instead of a mayor.

Walter J. Millard has been retained by the local committee to assist in the passage of the bill by the legislature. Political leadership in Pennsylvania is in considerable confusion, which fact may or may not assist the bill, and it is impossible at this early date to foretell what the action of the legislature will be. A more complete review of the measure as finally introduced will be given in next month's issue.

*

City Manager Sherrill Congratulated.—When Col. C. O. Sherrill, city manager of Cincinnati, opened his newspaper on Christmas morning, he found himself confronted with a double-page Christmas greeting from forty-five prominent business men and firms who had taken this method of expressing their appreciation for what he has accomplished for the city. In wishing Colonel Sherrill a merry Christmas and a new year of continued official achievement, the Christmas greeting read:

> Having neither the profession of politics nor the zeal of a partisan, you have been at liberty to plan without repression and carry on without partiality. You have constructed like a builder for the benefit of the people, and the people are not unmindful of it nor are they unappreciative of the wisdom and disinterestedness with which you have wrought. They see the effects of your ability, the results of the ripened richness of your experience, constructively applied on every hand, and call the whole of it good.

*

Traffic Study for New York City.—Mayor Walker was authorized on November 26 by the board of estimate to engage the professional services of the engineering firm of Day and Zimmerman to make a comprehensive traffic survey for New York City; such a project goes hand in hand with the work of the Walker administration in establishing a city plan commission for New York.

Already the police department and the department of plant and structures are collecting data on traffic. Such data include counts of the number of vehicles using city bridges and thoroughfares, figures as to the relative proportion of commercial and pleasure vehicles, etc. It is Mayor Walker's idea to have the entire subject of traffic congestion studied and recommendations made as to the best methods for improving present conditions and providing for future demands. Such projects as the proposed tri-borough bridge, vehicular tunnels under the East River, and trunk highways will be considered in this survey. Unofficial estimates have it that the cost of the survey will approximate $100,000.

*

Stanford University has arranged a course of lectures on city planning for the seniors and

graduate students of the two departments of civil engineering and art. Dr. Carol Aronovici, city planner, will have charge of this course, which will consist of a series of lectures and discussions, covering the field of city planning in relation to engineering work, and the arts as applied to city development.

⚜

Early in January, the city of East Detroit, Michigan, adopted a home-rule-manager charter by a vote of five to one. East Detroit has a population of eight thousand and lies northeast of Detroit in the suburban area.

⚜

Third Institute of Municipal Affairs.—On January 16 and 17, the Bureau of Municipal Affairs at Norwich University held, at Montpelier, Vermont, its third institute of municipal affairs. City planning and zoning, municipal budgets, airports, and the council-manager form of government were the chief topics of discussion. Governor Weeks attended the institute and presided at one session.

⚜

Attacks on County Government Renewed.—Criticism of county government is no longer a monopoly of temperamental and imaginative reformers. Hard-headed public officials are becoming conscious of its weakness, and the knowledge that rural government may be unbusinesslike, shiftless, and even grossly corrupt, is growing.

One of the last to join the ranks of county government reformers is State Controller Morris S. Tremaine of New York, who for several months has been conducting a drive for a general overhauling of town and county affairs within the state. Taking Schuyler County, a wholly rural county and one of the smallest in the state, as an example, Mr. Tremaine discloses that there have been minor irregularities, many acts and practices reported as irregular, and at least one operation of major importance by the county officials involving what appears to have been the secret purchase of buildings on the county fair grounds after the land had already been purchased by the county. The controller further points out that the cost of administering the government of the county has increased 141 per cent from 1914 to 1928, while in the same period the general expenditures of the state increased but 45 per cent, and that in large part due to the increased contributions by the state to the municipalities. In this time, contributions by the state to Schuyler County increased 50 per cent, demonstrating clearly the interest of all the people of the state in the administration of the government in even the smallest county.

⚜

Detroit Controls Pedestrians.—Efforts to control the pedestrian thus far attempted in American cities have generally proved ineffective, and he remains about the last great American institution as yet unregulated. His freedom, however, seems to be doomed, if the recent experiment by the Detroit police during the holiday shopping season is to find acceptance in other cities.

During the days of the Christmas rush the sidewalks of a part of the busy Woodward Avenue were divided into three traffic lanes by painted boundary lines. The inside lane was for window-shoppers, the other two for north- and south-bound pedestrians.

To control and assist pedestrians in crossing a busy street corner at rush hours, a new signal device never used before in any other city was installed at Woodward Avenue and State Street, where foot traffic is heavier than in any other part of the city. The signal is designed to supplement and supplant the amber light now used as a warning. The pedestrian signals are coördinated with the vehicular traffic signals. On State Street the pedestrian signal flashed nine seconds before the traffic switched to red. Because of the greater width of Woodward Avenue, the pedestrian warning signal flashed eleven seconds before the traffic light switched to red.

Reports are that the pedestrian lanes and warning signals worked satisfactorily, and that their use on busy Saturday afternoons and holiday seasons will be extended to other congested points throughout the city.

⚜

County Government Reform Proposed in Ohio.—Constitutional and statutory changes which will make for efficiency in county government in Ohio were proposed at a forum on county government held in Cincinnati, January 14, under the auspices of the Cincinnati League of Women Voters, the Women's Club of Cincinnati and the Cincinnatus Association. While the forum dealt with matters pertinent mainly to Cincinnati and Hamilton County, the general problem of county government in Ohio was considered as well.

One of the main speakers was Charles E. Merriam of the University of Chicago who dis-

cussed the general problem of governing metropolitan areas. As a means of reducing waste in overhead in city administration he recommended the annexation of nearby suburbs. Among public officials who addressed the forum were Mayor Murray Seasongood of Cincinnati, representing the large cities, and Mayor H. H. Baker of Norwood, a city of 25,000 completely enclosed by Cincinnati, Clifford E. Brown, commissioner of Hamilton County, and Samuel Ach, treasurer of Hamilton County. Mayor Seasongood spoke on public works and regional planning and deplored the lack of extraterritorial powers of such large cities as Cleveland and Cincinnati.

Other speakers devoted their attention to specific cures for present governmental ills. E. L. Bennett, Director of the Municipal Research Bureau, University of Cincinnati, spoke on the constitutional possibilities of remodeling county governments. He said that the existing deficiencies in Ohio county government were due largely to failure to recognize that different counties face different problems. At present the statutes dealing with county government are uniform for all counties of the state, regardless of whether they are urban or rural. The first need of Ohio, he said, is for a constitutional provision which will permit the state legislature to exercise discretion in establishing the forms of county government. As an alternative for this he suggested home rule for such counties as Hamilton and Cuyahoga, the large, metropolitan counties of Ohio. The short ballot and a thoroughgoing reorganization of county government administration were proposed by Raymond C. Atkinson of the Ohio Institute.

*

Reorganization in the Borough of Queens of New York City.—Following his induction into office the first of the year, newly elected President George U. Harvey of the Borough of Queens, New York City, has instituted a thoroughgoing reorganization of the entire borough government. Among the various experts called in to advise was Russell Forbes, secretary of the National Municipal League, who made a survey of the purchasing and contracting system followed in the borough office. As a result of this survey many recommendations were made for improving the system. Mr. Forbes in his report to President Harvey characterized the system of passing open market orders as "the most slipshod he had ever examined in his study of municipal purchasing." He went on to say:

"The most flagrant weakness is the lack of competition on orders. As stated below, the borough president's office last year issued nearly 8,000 open market orders, totaling over $1,500,000, with less than an average of two competitive bids on each order. On fully one-half of these orders only one bid was received. The total number of open market orders could be reduced about 50 per cent, and lower unit prices could be secured, by pooling the requirements of the various bureaus into large contracts. The Borough of Queens is also paying higher prices than necessary on contracts because of the cumbersome and slow method of making payment. These major weaknesses are traceable to the system in operation, rather than to dishonesty on the part of those charged with the purchasing and contracting function."

The following recommendations were made by Mr. Forbes:

1. *To stimulate greater competition:*

All bid sheets on open market orders should be prepared in the purchasing division instead of in the bureau making the requisition.

Every potential supplier should be given an equal chance to bid on all future orders. A minimum of ten bid sheets should be sent out on each order, instead of four as at present, which leads to favoritism.

A complete supply list, classified by commodities and cross-indexed by vendors, should be compiled. Every potential supplier should be included on this list at his request.

A bulletin board should be installed in the purchasing division. A copy of every pending order should be posted on this board, to permit any firm to examine it and to submit a bid on any order in which it is interested.

All bids should be submitted sealed, and opened in public at a time and place stated in advance. At present, bids are submitted unsealed, and may be changed after submission. This obviously facilitates favoritism and political manoeuvering.

All bids, when opened, should be tabulated, and filed with the record of purchase in the auditor's office.

Quotations should be secured by telephone only in emergencies. Submission of bids by telephone tends to promote favoritism.

2. *To facilitate the placing of larger and fewer orders:*

Each bureau should submit monthly estimates of its total requirements.

Each requisition now leads to a separate order. Some orders are less in amount than the overhead cost of the paper work involved in the purchasing and paying procedure.

Each bureau should be required to estimate its requirements in staple commodities from now until the end of the fiscal year.

Wherever possible, these estimates should be consolidated into large orders, or into contracts if the aggregate amount in any commodity is over $1,000.

A record of past purchases should be compiled, to show the price trend in any given article, and to determine whether bids are too high and should be rejected.

3. *To improve the letting of contracts and their specifications:*

The contract clerk and his assistant should be assigned to the purchasing division, to assist in the general duties of that office, in addition to their present supervision of contract orders.

A copy of the advertisement of every pending contract should be posted on the bulletin board, to permit any interested contractor to submit a bid.

A group of trustworthy engineers should be assigned to a careful study and revision of the specifications used for public works contracts by the past administration. If necessary, a corps of reliable outside engineers should be employed.

4. *To speed up payment on contracts:*

All vouchers for open market and contract orders should be prepared by the auditor of accounts. The Borough of Queens owes contractors for deliveries made, in some cases, as far back as 1924. This situation is due largely to delay by the various bureaus, which now have all authority to prepare vouchers on contracts.

5. *To facilitate transfers of supplies, materials and equipment between bureaus:*

An inventory should be made to determine the quality of matériel which is now surplus in the various bureaus, but which is available for transfer to other bureaus. Wherever possible, such surplus stock should be transferred in lieu of the purchase of new matériel.

President Harvey, upon receipt of this report, announced that these recommendations would be put into effect immediately. It is believed by Mr. Forbes that a saving of $100,000 per year will be made, as a result of the adoption of these recommendations.

✱

A Planning Board for Greater New York.—The statutory set-up of a planning board for greater New York, prepared by E. M. Bassett, was presented to the New York City board of estate and apportionment by Mayor Walker on January 10.

Readers may recall that Mr. Bassett's appointment as a special corporation counsel to prepare this set-up, was announced by Mayor Walker on November 13 and was reported in the December Review. The set-up proposes an amendment to the home-rule charter of greater New York City. In order to avoid the necessity of referring this charter amendment to a popular vote, and thus delaying the establishment of the new board, it is contemplated that an emergency message will be secured from the governor and favorable vote of two-thirds of each house of the legislature will be obtained in order to pass this amendment as an emergency act. The amendment proposes a board of three members. One of them is to be the chief engineer of the board of estimate and apportionment, to serve ex officio. The other two members are to be appointed by the mayor for four-year overlapping terms, one of the appointed members thus going out of office every two years. The salaries are to be fixed by the board of estimate, and it is strongly recommended by Mr. Bassett that they be not less than $15,000 per year.

The chief duty of this board will be to prepare a master plan of the city which is to be used as a guide for all changes to be made in the layout of the city in the future. This will affect not only streets, bridges, tunnels, parks, rapid transit routes and the like, but will also be the basis for any system of comprehensive zoning which is to be established. After the master plan has been prepared, whenever changes are to be made in the official city map or the building zone maps, hearings will be held before the planning board, thus relieving the board of estimate of an immense task. The board of estimate will continue to vote the changes which are to be proposed, but proposed changes can be altered by the board only by a vote of 12 out of its total vote of 16. Failing this vote, they must be adopted or rejected unchanged. In this way it is hoped that the planning board will not be relegated to the position of a mere advisory body, and thus gradually become obsolete. In preparing its master plan it is recommended that the board use the statistical and planning material recently assembled and published by the Regional Plan of New York and Its Environs. The Regional Plan committee, by gathering this immense amount of material has relieved the proposed planning board of a great deal of the necessary preparatory work. Thus it is contemplated that the new board can really become effective within eighteen months, instead of several years as would ordinarily be the case.

THE BOARD OF ESTIMATE AND APPORTIONMENT OF NEW YORK CITY

By

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THE BOARD OF ESTIMATE AND APPORTIONMENT OF NEW YORK CITY

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New York City is so extraordinary a place that no one is surprised to find even its government uncommon. But few realize how unique its board of estimate and apportionment is. The size of its undertaking would not alone make it different, though there are few national governments with budgets exceeding $600,000,000, and with borrowings of $150,000,000 more each year. These operations exceed those of the five largest states of the union combined. The really significant features regarding this body are its unusual ex officio composition, its development of an elaborate staff of advisors and investigators, and the process by which it has come to overshadow completely its companion, the board of aldermen. Its curious evolution has been, as things go in government, rapid. Nor has it ceased to grow and alter.

PERSONNEL OF THE BOARD

The board has eight members. No one is elected to the board of estimate. Of its eight members, three are elected by the entire city to be, respectively, mayor, comptroller, and president of the board of aldermen. The other five are presidents of the five boroughs into which the city is divided, these being coterminous with the five counties which form Greater New York. All are elected for four-year concurrent terms. The salaries of the mayor and comptroller are each $25,000 a year. The others receive $15,000 per annum. The mayor, the comptroller, and the president of the board of aldermen have three votes each. The borough presidents of Manhattan and Brooklyn have two votes, the other borough presidents one each, a total of sixteen for the entire board.

Each member of the board, except the president of the board of aldermen, is the head of a huge establishment of a thousand or more employees. In the case of the mayor, the number, of course, is many thousands. This means that these members can call upon their own engineers and other experts to equip them with the widest variety of information upon matters appearing on the board's calendar. Secondly, all but the mayor and the president of the board of aldermen have deputies whom they may send to represent them at any meeting of the board or in any other capacity, and the deputy has all the power of his chief, including the right to cast his vote. Finally, the board has built up, in the last thirty years, a well-trained staff, now numbering over two hundred, to assist it in its work. This staff, aside from occasional invasions of the administrative field, has been largely reserved for informational and investigatory work. More than anything else, it has enabled the board to hold up its end while legislative bodies, national and local, have been rapidly losing control over administrative work. It is worth noting that not even the United States Congress itself has anything comparable in the way of staff facilities, not to mention the individual opportunities, which the members of the New York City board of estimate have for securing expert advice and information.

The composition of the board bears certain limited similarities to the commission form of government. It has had its own independent evolution, however, and there is nothing to indicate that it has been influenced by or has itself influenced the progress of that plan of administration. It differs also in that it has within its commission structure all the distinguishing organs of the mayor-council plan as well. How this governmental hermaphrodite lives and functions it will be the purpose of this pamphlet to explain.

THE EVOLUTION OF THE BOARD

The present broad powers of the board of estimate and apportionment are not adequately indicated by its name. The estimating of the requirements of the various branches of the city government and the apportioning of funds in accordance therewith constitute but a small part of the many functions which it now performs. The board of estimate is, in fact, the board of directors of the municipal corporation of New York, and as such determines the policies of the city with reference to all financial matters, assessable public improvements, franchises, privileges, and permits. Its control over these matters is almost absolute. The acquisition of these and other important powers will be discussed later.

A brief examination of the origin and history of the board shows, however, that until within comparatively recent years its function was simply to prepare estimates of the cost of government and not to exercise any administrative or legislative functions. Probably the first board with this name was a "board of estimate and apportionment" consisting of the commissioners of the metropolitan police and the comptrollers of the cities of New York and Brooklyn. This board was established in 1864 to estimate the expense of conducting "the metropolitan police district of the state of New York," which embraced the then independent cities of Brooklyn and New York, and to apportion the expense to the various units within this district; its authority was limited to the expenditure for police service.

Under the Tweed régime a board of apportionment was created in 1871, consisting of the mayor, the comptroller, the commissioner of public works (Tweed), and the president of the department of public parks. Up to this time it had been the practice of the legislature to appropriate specific amounts for each department of the city government. The act of 1871 provided an assessment not to exceed two per cent on property valuations. The board of apportionment was to apportion the revenue from this tax among the various departments of the city and county governments.

Under the reform charter of 1873, the mayor, the comptroller, the president of the board of aldermen and the president of the department of taxes and assessments constituted a board of estimate and apportionment to estimate the expense of conducting the city and county of New York. The tax rate was then based upon this estimate. This was apparently the first board of the name with authority to estimate the requirements of all city departments, but it had no power of final enactment. In 1893 the corporation counsel was added.

The revised charter of 1901 reconstituted the board to consist entirely of the elective officials who at present compose it, and increased its importance as an administrative body. Not only was it the chief budget-making and financial body but with the abolition of the board of public improvements the board of estimate succeeded

TABLE I

PERSONNEL OF THE NEW YORK CITY BOARD OF ESTIMATE, 1902-1929

Year	Mayor	Comptroller	President of the Board of Aldermen	Borough Presidents				
				Manhattan	Brooklyn	Bronx	Queens	Richmond
1902	*Low, Seth* **	Grout, Edw. M.	Fornes, Chas. V.	Cantor, Jacob A.	Swanstrom, J. Edw.	Haffen, Louis F.	Bowley, Frank	*Cromwell, George*
1903	"	"	"	"	"	"	"	"
1904	McClellan, George B.	*	"	Ahearn, John F.	Littleton, M. W.	*	Cassidy, Joseph	*
1905	"	"	"	"	"	"	"	"
1906	*	Metz, Herman	McGowan, Patrick	"	Coler, Bird S.	*	Bermel, Joseph	*
1907	"	"	"	"	"	"	"	"
1908	"	"	"	"	"	"	"	"
1909	"	"	"	"	"	"	"	"
1910	Gaynor, W. J.	Prendergast, W. A.	Mitchell, J. P.	McAneny, George	Steers, Alfred	Miller, Cyrus E.	Gresser, Lawrence	"
1911	"	"	"	"	"	"	"	*
1912	*	"	"	"	"	"	"	"
1913	"	"	"	"	"	"	Connolly, Maurice E.	"
1914	Mitchell, J. P.	*	McAneny, George	Marks, Marcus	*Pounds, Lewis*	*Mathewson, Douglas*	"	"
1915	"	"	"	"	"	"	"	VanName, Calvin
1916	"	"	"	"	"	"	"	McCormack, Chas. L.
1917	"	"	Dowling, Frank L.	"	"	"	"	"
1918	Hylan, J. F.	Craig, Chas. L.	Smith, Alfred E.	Dowling, Frank L.	Riegelman, Edward	Bruckner, Henry	*	*
1919	"	"	Moran, Robt. L.	"	"	"	"	"
1920	"	"	*	"	"	"	"	"
1921	"	"	"	"	"	"	"	"
1922	*	*	Hulbert, Murray	Miller, Julius	*	*	*	Cahill, M. J.
1923	"	"	"	"	"	"	"	Lynch, John A.
1924	"	"	"	"	"	"	"	"
1925	"	"	Collins, Wm. T.	"	Guider, Joseph	"	"	"
1926	Walker, J. J.	Berry, C. W.	McKee, J. V.	*	*	*	*	*
1927	"	"	"	"	Byrne, James J.	"	"	"
1928	"	"	"	"	"	"	Patten, B. M.	"
1929	"	"	"	"	"	"	*Harvey, G. U.*	"

* Reëlected. ** Italics indicates Republicans, all others, Democrats.

to the functions of that body. The latter had existed in the old city of New York during the 'eighties and 'nineties, and had been reconstituted at the consolidation of the city in 1898. Thereafter it consisted of all the officers who were members of the board of estimate plus the six commissioners in charge of water supply, highways, street cleaning, sewers, parks, and bridges—that is to say, city-wide and local improvements. When this board was abolished in 1901, the supervision of highways, sewers, and public buildings was decentralized and placed in the hands of the borough presidents. Financial control over all these matters was transferred to the board of estimate. Four years later, in 1905, the control of franchises was added to the jurisdiction of the board. A shadow of this power still belongs to the aldermen, but the board of estimate now has power to amend, revise, or repeal any franchise granted by the aldermen, and it has sole jurisdiction over franchises for the use of streets for purposes of transit or communication.

Since 1916 the board has also had charge of the city's zoning regulations. This likewise was acquired at the expense of the board of aldermen, which had dallied with the problem of building heights for over a decade. The board of estimate now adopts and amends use, height, and area maps, though the board of standards and appeals, appointed by the mayor, may relax these and other building requirements in specific instances. In 1920, when the city employees' retirement system was created, the board of estimate was made trustee with important discretionary powers. Lastly it was made a coördinate branch with the board of aldermen in the municipal assembly, formed in 1925 to exercise the city's home-rule powers then acquired.

THE MEETINGS OF THE BOARD

The board holds two principal meetings each week from October to July, with usually one or two meetings during the summer. Monday it sits as committee of the whole in a large room adjoining its formal chamber. The members are gathered at a long table, with their secretaries and various department officials in adjacent seats. The room is frequently thronged with citizens advocating or opposing various measures. At other times the board sits in executive sessions and the public is excluded. Nothing adopted at these Monday meetings is final. The items passed are placed upon the calendar of the meeting of the board itself which takes place on Thursday, beginning in the morning and lasting sometimes until late afternoon. For both meetings, elaborate calendars are printed for the members and the public. These often fill two or three hundred pages and may contain as many as a thousand items. The number of matters pending before the board at any one time on occasion amounts to as many as five hundred. During the year 1928, twelve thousand items were disposed of. All action of the board is taken by resolutions adopted by a majority of the whole number of votes, except for certain financial matters, which require twelve votes or even unanimity. A quorum of the board consists of a number sufficient to cast nine votes. At least two of the three-vote members must be present. All the members, except the mayor and the president of the board of aldermen, may be and frequently are represented by their chief subordinates.

THE BOARD'S ORDER OF BUSINESS

Some notion of the character and volume of the board's business may be

gleaned from its regular order of business:

1. Roll call.
2. Approval of minutes of previous meetings.
3. Public hearings (including hearings adjourned).
   (a) On changes in the city map.
   (b) On areas of assessment for benefit in condemnation proceedings.
   (c) On franchises.
   (d) On dock, water front, and terminal proceedings.
   (e) Miscellaneous proceedings.
4. Matters laid over on which public hearings are not required or have been closed.
5. Reports.
   (a) From standing committees.
   (b) From select and special committees.
   (c) From the department of finance.
   (d) From divisions of the board.
   (e) From city, borough, county, and state officials.
6. Communications, petitions, etc.
   (a) From citizens and public bodies.
   (b) From city, borough, county, and state officials.

The board is at all times on terms of lively familiarity with those samples or spokesmen of the public who throng its chamber. The members, seated at a semi-circular table on a dais above the level of the room, keep up a running debate with the citizenry gathered at the rail. Though the board holds numerous hearings that are specifically designated as such, the tradition of free-for-all discussion is so well established that the populace is permitted to air its views on almost anything. Even when the board sits as a branch of the municipal assembly enacting local laws, the public shares in its deliberations. The members have not always deported themselves toward each other with complete decorum. Rumors of war are constant and there have been several spirited internecine conflicts. But these may be taken as a not unhealthy sign of life in the members and the issues before them.

COMMITTEES OF THE BOARD

The board of estimate in the past made generous use of the committee in its work, but at the present time there are fewer standing committees or *ad hoc* committees than ever before. The small personnel of the board frequently results in every member being on a committee, as is true of the three standing committees, but the practice of permitting members to be represented by deputies and assistants frequently gives these committees a variety of personnel and special skill that would otherwise be lacking. It is not infrequent to find a committee in session with every person present being a representative of some actual member. This highly desirable situation is made possible only by the fact that each member of the board has a more or less elaborate staff of deputies, assistants and engineers upon whom he may rely for this work. Even the president of the board of aldermen is given an assistant and several examiners to permit him to enter intimately into the work of the board of estimate.

STANDING COMMITTEES

The committee of the whole of the board arose in 1922 as successor to the powerful committee on finance and budget, headed by the comptroller, which threatened to dominate the board. The committee of the whole has so completely ceased to function as a committee that it might more properly be regarded as a preliminary session of the board's regular meeting. It has a calendar as bulky as that of the board itself. Its meetings are, however, less formal. So important are the Monday afternoon sessions of this body that the members make as much effort to be personally present as they do to attend meetings of the board itself. Many of the most im-

CHART I.—THE ORGANIZATION AND FUNCTIONS OF THE NEW YORK CITY BOARD OF ESTIMATE

portant decisions of the board are made at this time and it is then that the real logrolling takes place.

The only genuine standing committees which have survived are the committee on city plan and public improvements, with the borough president of the Bronx as chairman, and the committee on assessments, presided over by his colleague from Brooklyn. These two committees succeed in screening a volume of detailed matter of no great general interest. Local improvement projects, zoning regulations, and grade changes which would affect the city map are dealt with by the committee on city plan and public improvements. The distribution of the cost of public developments on the benefited property is entrusted to the committee on assessments. Both committees consist of the entire membership of the board, though in practice they usually send deputies to the meetings. More and more the tendency is to refer important matters, which might be regarded as within their province, to the committee of the whole.

There are upwards of twenty special committees assigned to particular tasks. New ones are being constantly created and as problems trickle to solutions old ones come to an end. Examples of such committees are the committee on hospitals, whose work recently culminated in the establishment of a department of hospitals; another on park and playground sites; one on sewage disposal, which has proposed a huge sludge plant on Wards Island; another on airports; and as many others. These committees are composed in some cases of all the members, in other cases of a portion, and in still others of departmental officials or even laymen. Reports from the committee are referred by the board to the committee of the whole. In practice such committees, though occasionally important, are coming to play less and less part in the board's work. Many either never meet, or conduct their affairs so informally as not to resemble committees at all. Some continue to exist on paper because no one has ever troubled himself to suggest their abolition.

This presents a striking contrast with the board's methods ten or fifteen years ago as shown in Table II. At that time there were a large number of active committees, many of them equipped with staffs of three to a dozen persons. Perhaps the best example of the workings of a committee with specialized personnel is found in the former sub-committee on tax budget of the committee on finance which prepared the budgets from 1914 to 1918. This sub-committee consisted of a group of specialists designated by and representing various members of the committee. Many days were spent in a most minute scrutiny of the estimates presented and hearing the department heads involved.[1] It is the opinion of many well informed persons that this provided the most searching examination the budget has ever been subjected to. But in 1918 the sub-committee was abolished and the finance committee, with the comptroller as chairman, undertook to perform this task itself.

[1] In 1917, a typical year, the members of the sub-committee were: Robert B. McIntyre, supervising statistician and examiner, bureau of municipal investigation and statistics, department of finance, *chairman;* Leonard M. Wallstein, commissioner of accounts; Albert E. Hull, assistant to the president of the board of aldermen; Tilden Adamson, director of the bureau of contract supervision; Mrs. Mathilde C. Ford, secretary to the committee on education, board of estimate; Paul C. Wilson, assistant secretary to the mayor; J. W. F. Bennett, consulting engineer to the borough president of Bronx; and George W. Tillson, consulting engineer to the borough president of Brooklyn.

This never proved satisfactory and, after much unseemly bickering, the committee was itself abolished and the committee of the whole assumed the function.

capacity and the secretary of the board of public improvements, which the board of estimate inherited, was continued as assistant secretary. The secretary has charge of the records and

TABLE II

ORGANIZATION OF BOARD OF ESTIMATE COMMITTEES AND STAFF, 1915

Standing committees without staff	Staff bureaus	Standing committees with staff
Organization	Records and minutes	Port and terminal facilities
Franchises	Public improvements	Education
Assessments	Franchises	Markets
Salaries and grades	Sewer plan	Social welfare
Standardization of supplies	Contract supervision	Revision of city charter
Street cleaning	Division of contracts and appropriations	City planning
Sewer plan	Division of analyzing and testing	Commission on building districts and restrictions
Transit	Standards	
Tax budget	Division of salaries and grades	
Corporate stock budget	Division of supplies	

THE BOARD OF ESTIMATE STAFF

One of the most remarkable achievements of the board of estimate is the huge staff which it has built up to aid it in its work. This organization has a personnel of more than two hundred and costs annually over half a million dollars. There is no more important or influential body in the city's fiscal structure. On a vast majority of matters, the decisions of the permanent staff become the decisions of the board of estimate. The work of the staff is divided into three sections headed, respectively, by the secretary, the chief engineer, and the engineers in charge of franchises. These, and the director of contract supervision are appointed by the board itself. All the rest of this staff are members of the classified civil service.

The largest group of functions of this elaborate secretariat are under the general supervision of the board's secretary. This officer has existed since 1906. Prior to that time, one of the deputy comptrollers acted in that

minutes of the board, the preparation of the weekly calendars, and all the general reporting and investigating as well. The most important group under his supervision is the budget examining staff. Through its hands passes practically every matter which even remotely affects any fiscal aspect of the city's operations. Not only do the examiners scrutinize all budget proposals and all applications for other grants of money, but they pass on salaries and grades, on specifications for the purchase of supplies, and on contracts for permanent improvements, repairs, and replacements.

The budget staff of the board of estimate consists of twenty-seven examiners, eleven engineers, and three examining inspectors, with typewriting copyists, computers, etc. These are attached to the office of the secretary and work under his supervision and that of the director of contract supervision and investigations. All but a half dozen of the examiners have been in the service of the city for twenty years or more. Many of them

are exceptionally well equipped for their tasks. Until 1916 this group was part of the force of the bureau of municipal investigation and statistics in the finance department and was loaned to the sub-committee or the secretary during the budget period. In that year they were transferred to the latter's office. Today they work under the secretary the year round, except that they are loaned to the budget director for the budget period.

THE CHIEF ENGINEER

The chief engineer of the board of estimate is one of the most important officers in the city government. The position was developed in connection with the board of public improvements. When that body was swallowed up by the board of estimate, its engineer went along with it. The influence of the office was vastly expanded by the able Nelson P. Lewis who filled it from 1905 to 1917. Since 1902, plans for some 12,000 physical public improvements, representing an aggregate cost of over $260,000,000, have passed through this office.

The work of the chief engineer is confined to the examination of plans prepared in the various engineering offices of the city. Under the general supervision of his deputy, a group of fifteen assistant engineers are assigned to various segments of the board's work. A mapping of the city, begun some years ago, is nearing completion. Some three hundred proposals for changes in use, height, and area zones are reported upon annually. All park acquisitions, street paving and grading projects, sewer installations, assessable improvements including the laying out of the area to be assessed, are planned or approved by this force.

The monumental $18,000,000 court house completed several years ago was constructed under the supervision of the chief engineer and, had the projected Narrows or Staten Island tunnel been carried out, it was planned to place him in charge of the work. He has power to authorize improvements recommended by the local improvement boards where the estimated cost does not exceed $5,000. In short, in the absence of an engineering department, there has been a tendency to erect the office of chief engineer of the board of estimate into a general department.[1]

The consulting function, likewise, is not overlooked. The board frequently creates special committees for particular problems or purposes and never fails to assign the chief engineer to any upon which his advice might be helpful. In many instances all of the work devolves upon him. Among others, that officer has recently served on the transit conference, the committee on transit facilities, the advisory committee on traffic relief, the West Side improvement engineering committee, special committees on the Hudson River and Harlem River bridges, and sundry others concerned with main drainage, harbor pollution, sewer capacity, city boundary line, Staten Island—New Ferry connections, and Riverside Park extensions. On the important committee on sewage disposal methods,

[1] It may seem strange that New York City has no engineering department as such. It has upwards of a thousand engineers of various grades scattered through the offices of the borough presidents, the board of water supply, the department of water supply, gas and electricity, the department of docks, the board of transportation, and the department of plant and structures. This last department, formerly the department of bridges, was renamed in 1917, and some effort was made to erect it into a general engineering department (the work of building the East River bridges being then completed), but it has become rather an operating department in charge of the municipal ferries and a few bus and trolley lines.

he and the comptroller were the only members. It would be hard to find a more persuasive statement of the need for a permanent city planning body in New York than this partial catalogue of the chief engineer's duties.

CONSULTING ENGINEER

On November 8, 1928, the chief engineer, Charles H. Tuttle, was retired. A few days later he was appointed consulting engineer at $16,000 a year (his $5,500 pension being meanwhile in suspense). The plan is to have the consultant devote his time exclusively to the more general problems of the city such as those last mentioned, and to entrust the more or less routine duties of borough and local improvement to the chief engineer, in which post his former deputy succeeds him. This is a thoroughly desirable step. Mr. Tuttle has served the city splendidly for years and the value of his services has been universally acknowledged. In large measure the change is a mere acceptance of what had in fact already come to pass. The members of the board had learned to have such implicit confidence in his judgment that he was treated almost as if he were a member of the board itself.

SUPERVISION OF CONTRACTS

The present plan of letting contracts for public buildings is, in general, satisfactory. Prior to 1912 money was appropriated without restriction as to its ultimate expenditure. There was nothing to prevent a head of a department from spending all of the appropriation on the foundations. A few glaring abuses of this power in 1912, such as the building of the Hall of Records and Seaview Hospital, resulted in the requirement in connection with long-term bond authorizations (and subsequently one-year bonds, called tax notes) that the contracts be submitted to the board for its approval. It also led to the creation of the contract supervision staff.

Unfortunately, at the present time, the review of contracts does not include a review of the specifications accompanying them. This was the source of the recent Queens scandal. The specifications created a monopoly in a certain type of pipe by reason of which the community was mulcted of $10,000,000. A further improvement might be the employing of an outside architect to prepare a plan and to submit with it a careful estimate of cost in connection with any project before the board of estimate initiates it. The present practice is to determine how much the board will spend without more than a guess as to what can be had for the money. On the other hand, certain exorbitant retainers within the last few months have done much to discredit the employment of consulting experts.

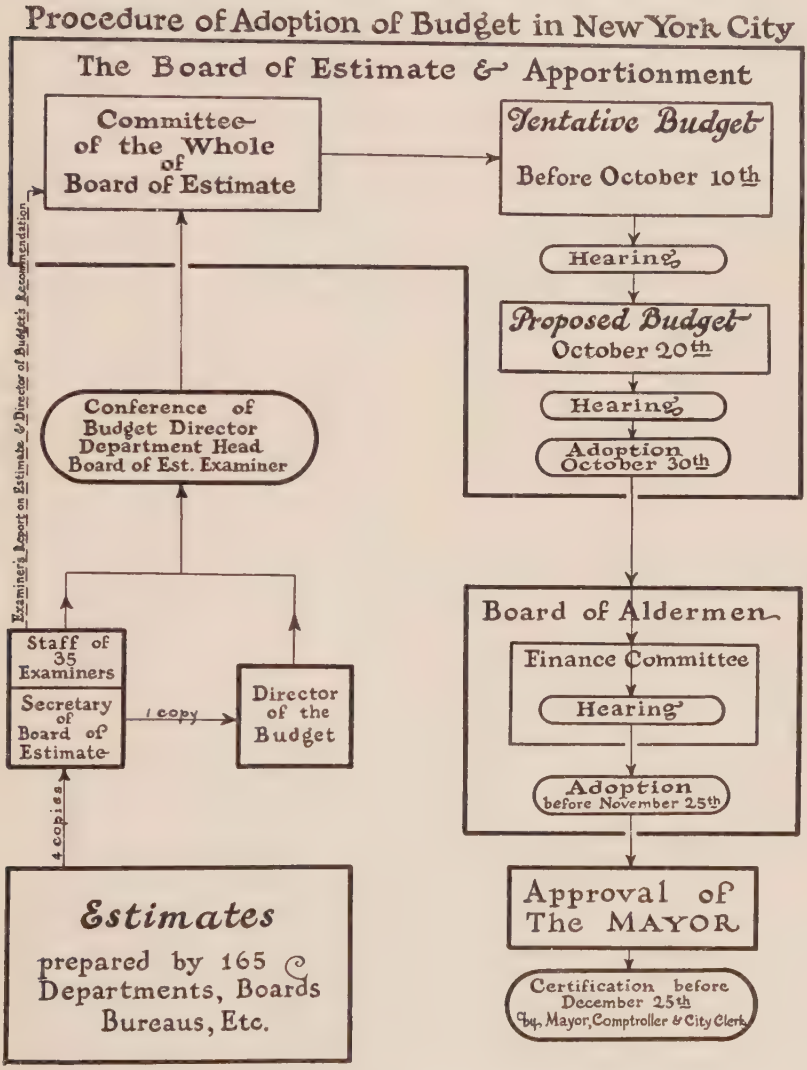
THE GRANTING OF FRANCHISES

The division of franchises may be traced back to the department of finance in 1905, the year when power to grant franchises was taken from the board of aldermen and given to the board of estimate, and placed under the jurisdiction of the chief engineer. In 1911 it became an independent bureau. There has been no official change of its status since that date.

The early tendency was to develop special staffs by temporary assignment to assist a large number of standing and special committees. These tended to become permanent and to grow in size. There never has been any plan in its development. Since 1906 the secretary has been a leading figure in this work. Joseph Haag, who occupied this post for twenty years, greatly expanded its influence. In all

Haag served the city fifty years and was regarded as the best informed man on the affairs of the city. But for his age and the jealousies that crept in, he might have evolved into something comparable to the English town clerk. The weaker units in the staff, such as the pension systems and the bureaus of contract supervision and salaries and reclassification, were brought and remain under the secretary's supervision. The chief engineer's staff and the bureau

CHART II.*—PROCEDURE OF ADOPTION OF BUDGET IN NEW YORK CITY



* This chart and Chart III on page 139 were prepared by the present writer for *The Finances and Financial Administration of New York City*, H. H. Lehman, editor (Columbia University Press, 1928), and are reproduced here by permission. Chart I was made specially for this study.

of franchises have never had to submit to this yoke.

There is also the regrettable tendency to develop service activities in this group rather than to reserve it for the exploratory and critical work which should be its function. The central purchasing agency, which maintains the central testing laboratory, was established on the recommendation of a commission of the board and was for a time administered by that commission. It was then, for four or five years, lodged with the board of estimate staff. It was not until 1920 that this activity was set up as a department under the mayor. The pension systems furnish a current illustration of the same tendency. Here is a routine unit of rather considerable size appended to the staff of a legislative body. In fairness it might be added that the staff, now numbering two hundred employees, has actually fifty less than the various separate staffs in 1915.

THE PREPARATION OF THE BUDGET

The most important work of the board is the preparation of the city budget. So large a volume and proportion of the city's business focuses in that document that it is appropriate to explain this procedure in some detail.

Early in the spring, the board of estimate and apportionment by resolution directs the department heads to prepare their estimates for the next year and to have them available for return to the board by the middle of July. This is communicated to the department heads by the secretary of the board in a letter containing instructions. These instructions are quite simple and brief, because there are few changes in procedure from year to year.

The charter provides that department estimates shall be submitted to the board of estimate on or before August 1. Most departments return their estimates within the required time, but the secretary receives innumerable supplementary estimates in the form of letters asking him or the board to amend this or that item or list of items in the estimates. There are one hundred sixty-five separate departments, boards, and officers submitting budget estimates. The secretary apportions these among the examiners. The assignments are prepared early in the year so that the individual examiners may know for what they will be responsible and may acquaint themselves with what is going on in these departments. So far as circumstances permit, the examiners are reassigned to the same duties year after year. In this way they acquire intimate knowledge of the operation of the departments and become acquainted with their officials. Their knowledge of departmental affairs is increased by their being engaged the year round in considering budget transfers, and the other fiscal activities of the board pertaining to the same departments. The examiners are generally in continuous touch with the departments.

BUDGET HEARINGS

When the examiner has completed his study of the estimates, he confers with the director of the budget, who summons to conference the department head concerned. The estimates are printed and are forwarded to the committee of the whole of the board, with a report containing the budget director's recommendations. The committee of the whole, consisting of the entire membership of the board of estimate, with the mayor presiding, holds hearings upon the printed estimates. Following the recommendations of the mayor's sub-committee on finance (the Lehman committee), it is expected that some slight changes will presently be

made in this form of the document.[1] There has been a startling collapse of the public hearings. The contingent of indefatigable critics has grown smaller and smaller and there is very little public present at the legal hearings. This is no token of perfection in the document. Still less may it be taken to indicate universal satisfaction with the sharply mounting cost of the city's government.

The board, in practice, adopts the budget substantially as it comes from the committee of the whole. The charter requires that a "tentative budget" be prepared in printed form on or before October 10. When the budget is filed, on or before October 20, it is known as the "proposed budget." This may be decreased, but may not be increased or contain any new items. In actual practice, little but newspaper publicity results from these public conferences, and relatively little of that. At this final stage, most of the criticisms are of too general a character to be of much value. Those groups of individuals who are particularly interested and alert have made their desires known in the departments and in other ways long before this time.

THE BOARD OF ALDERMEN AND THE BUDGET

The board is required to adopt the budget on or before October 31. Occasionally this involves stopping the clock. The budget then goes to the board of aldermen, the charter stating that the mayor shall call a special meeting of that body which "shall continue from day to day until final action is taken thereon, and such consideration shall not continue beyond twenty days." The board is permitted to reduce any item or amount in the budget, except debt service and a few kindred items, subject to a veto by the mayor, which may be overridden only by a three-fourths vote. The aldermen, however, have practically foresworn their part in the budget-making. Their deliberations, far from lasting twenty days, on some occasions last but twenty minutes. Not over four or five times since 1899 has the board of aldermen made any change. It has been suggested by some that the reason why the board is so supine in its treatment of the budget is the inability to increase as well as decrease items, but this springs from a lack of acquaintance with the actual calibre of the members and the political characteristics of the body. The writer can scarcely imagine that such power would result in anything but unwelcome surprises.

The mayor must finally accept or disapprove the budget *in toto*, except for his veto of alterations made by the aldermen. On the few occasions when they have exercised their power, he has shown no hesitation in resorting to his veto. He must act before December 25. The budget is then certified by the mayor, comptroller, and city clerk, and published in the *City Record*. The financial system in New York City is much more flexible than the federal or various state budget systems, in that money may be transferred from any line in the budget to any other at any time during the year, provided only the total remains unchanged.[1]

[1] *Finances and Financial Administration of New York City*, pp. xix–xxiv.

[1] In adopting the budget, the board makes certain general statements of policy in the "terms and conditions of the budget." Certain significant changes respecting these were recently made by the adoption of *Local Law* No. 11, signed December 28, 1928. This provides that appropriations for park and playground purposes, municipal airport, street paving, snow removal, and anticipated claims and judgments shall not be transferable and shall be available for two years.

BOND BUDGETING

In addition to the tax budget routine, there is a much less formal procedure for the budgeting of long and short-term borrowings. New York City's bonds (apart from its serial bonds) are called "corporate stock," though they are in no respect different from the garden variety of municipal bonds. A corporate stock budget existed for a short time beginning in 1913, and has recently been revived. The departments communicate their requests to the secretary of the board of estimate, who compiles them, usually in December. In January the board makes a tentative allotment, but it reserves considerable discretion to modify this from time to time during the year. The calendar of these requests published January 7, 1929, includes applications for $100,000,000 in corporate stock and $50,000,000 in tax notes, though it does not include subways or water supply. No such procedure is required by the charter, but the board has been driven to it by sheer necessity.

THE BOARD OF ALDERMEN

The board of aldermen is the frail sister of the board of estimate. With loss of reputation has gone loss of power. It must content itself with naming and renaming streets, granting exemptions from public lettings, remitting the fees on vaults under sidewalks, and kindred subjects. The few powers it shares with the board of estimate, such as the fixing of salaries and grades, concurrence in several classes of corporate stock issues, and the selection of sites for purposes not otherwise provided for in the charter, it abdicates in favor of the other body. This is conspicuously true of its right to scrutinize budgets. In twenty-seven years it has seen fit to change but four of the budgets presented to it. Its only other major power, that of fixing the tax rate, is a mere routine. Repeated amputations have left this poor body helplessly enfeebled. Certainly one could not expect much of it in its present state, but its own ineptitude contributed heavily to its undoing. Stripped of power and prestige, the board fails to attract any but the left-overs of the district clubs. Successive charter revisions have lopped off one power after another, but none has had the courage to do this ancient dotard to death.[1]

THE MUNICIPAL ASSEMBLY

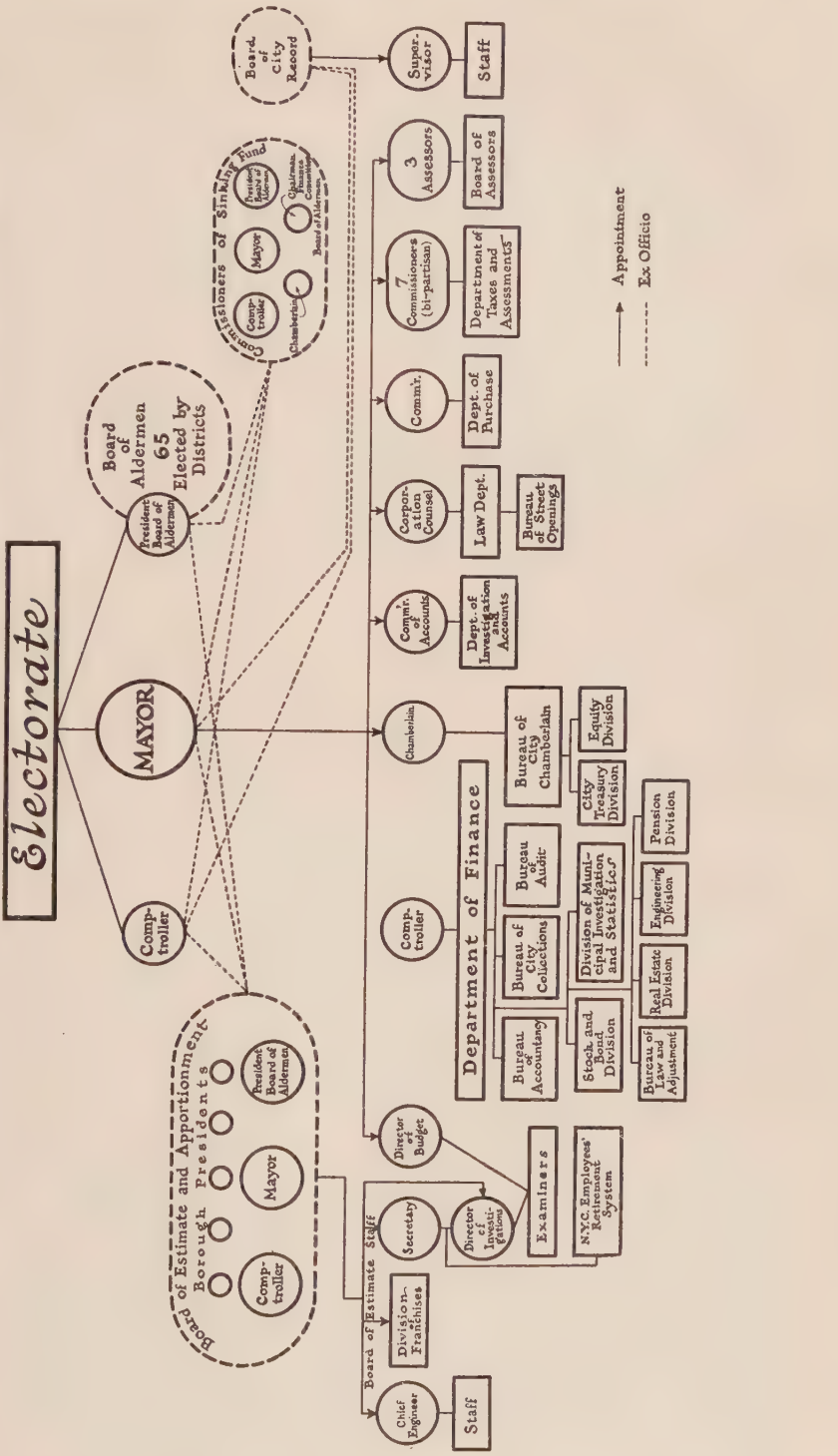
These two bodies are, in addition to their own charter functions, coördinate branches of the municipal assembly to which the home rule amendment of 1924 gave power to pass local laws or charter amendments of a somewhat limited nature. Meetings of the two branches are customarily held just prior to the regular meetings of the respective boards, with proceedings, from roll call to adjournment, quite separate from the latter. Legislation emanating from this bicameral body must receive the approval of the mayor after public hearing and be filed with the secretary of state.[2]

Perhaps the most significant exercise of this power was the recent creation of a city hospital department to administer twenty-seven hospitals formerly distributed among three independent departments. It was the hope of some that these new responsibilities would awaken the aldermen and attract new

[1] See "The Eclipse of the Aldermen" by the same author in the NATIONAL MUNICIPAL REVIEW, June, 1925; pp. 360–368, and also his "New Tammany" in the *American Mercury*, September, 1928.

[2] The secretary of state is required to publish the local laws of the various cities of the state for each calendar year. The volume of *Local Laws* is issued as a companion to the *Session Laws*.

CHART III.—THE RELATION OF THE BOARD OF ESTIMATE TO OTHER FISCAL UNITS IN NEW YORK CITY'S GOVERNMENT



blood to that body. Four years, including two elections, have failed to produce this rejuvenation, even with the annual compensation of aldermen increased to $5,000. All of the more important measures passed or pending to date have originated in the board of estimate branch. The aldermanic contribution has been scant and insignificant.

THE COMMISSIONERS OF THE SINKING FUND

There are two other bodies whose functions are so closely related to those of the board of estimate and whose work so intimately involves several members of that board that is is not inapposite to mention them here. The commissioners of the sinking fund consist of the mayor, the comptroller, the chamberlain, the president of the board of aldermen, and the chairman of the finance committee of the body. The presence of the comptroller is required for the transaction of any business and in certain instances, such as the lease of piers or city real estate, his affirmative vote is necessary. He is also the secretary of the body and his office prepares its calendar and is custodian of its records. These commissioners are entrusted with the administration of all of the sinking funds of the city. The work is a relatively simple task because of the fact that all of the city's sinking funds are invested in its own bonds. It consists largely of approving policies recommended by the comptroller. His reports and accompanying resolutions are promptly accepted. More important than its duties pertaining to the sinking funds are the powers which this board has over the city's real estate holdings. The commissioners may sell at auction land owned by the city except parks, wharves, and land under water, or may lease land for ten years with the privilege of a ten-year renewal.[1] The body has other extensive powers relating to land under water, discontinued streets, the removal of structures on condemned land, claims arising from such removals, tax cancellations for religious and charitable bodies, the leasing of land by the city, the sale of obsolete supplies and equipment, the designation of court houses and jails, exchanges of land, and, most important of all, the leasing of the city's valuable Hudson River piers.

THE BANKING COMMISSION

There is also a banking commission, consisting of the mayor, the comptroller, and chamberlain, which meets each quarter to designate banks as city depositories and to establish the rate of interest.

A majority of the members of both these bodies are members of the board of estimate. Most of their functions are strictly financial, and therefore involve matters and policies for which the board of estimate is primarily responsible. There is some reason to feel that the work of the sinking fund commission in particular leaves something to be desired. Charter commissions and investigating committees have repeatedly recommended that these two commissions be consolidated with the board of estimate and no adequate reason has ever been given why this should not be done.

CROSS CURRENTS IN THE BOARD

The chief problem connected with the board of estimate results from the dualism which it represents. The "big three" are in constant but covert contest to subjugate the borough presidents. The three are expected by the tax-paying property owner to keep the

[1] Except that land may be leased "for housing purposes" for any term that seems desirable to the commissioners. (Local Law No. 12, 1927.)

city tax rate down. The city raises seventy-five per cent of its revenue from the tax on real property. But these same property owners want paved streets, sewers, bridges, and parkways without end. If the borough president is to satisfy his constituency he must get as much tax money as he can to be spent in his borough. This pork-barrel attitude and the log-rolling to which it gives rise can never, in all probability, be eliminated so long as there is any form of geographical representation on the board. Much of the present weakness of the board and its staff is traceable to this fact. It is hard to expect vigorous criticism of borough projects by a staff whose salaries are voted by the very officers they are asked to criticize.

THE MAYOR

The board of estimate and its foremost member have been in constant contest not always perceptible to the naked eye or to the members themselves. The mayor has a veto over all matters requiring aldermanic concurrence. He may veto franchises approved by the board of estimate. And he has a veto upon local laws passed by the two bodies sitting as the municipal assembly even though he votes in the board of estimate branch. With the building up of the elaborate secretariat already described, there has been a natural tendency on the part of the board to assume functions that amount almost to administration. Many of its functions belong to a responsible executive, but the board, even in its present state of political unanimity, would be very loath to surrender any of the staff it has built up. Yet the development of adequate financial responsibility in the mayor cannot proceed while so much fiscal administration rests with the board and with the comptroller.

THE MAYOR'S SOCIAL DUTIES

The heavy burden of the mayor's administrative duties has of late been overshadowed by his many social obligations. He is in demand for the banquets of the chamber of commerce and the "beefsteaks" of the Grand Street Boys. Every national guest who passes through the great port must be suitably welcomed, along with a lot of others not so obviously entitled to this distinction. This is regarded as good for the business life of the city. To many it is as essential that the mayor greet a channel swimmer or a delegation of Cubans as that he listen to pros and cons on the new building code.

But no mayor can serve two masters. If he loves after-dinner speeches he will in all likelihood have no headaches from reports. It may be, as some facetiously and others seriously propose, that we need two mayors—a decorative mayor and an operative mayor, a ceremonial mayor and a cerebrating mayor, a publicity mayor and a practical mayor, a cheer leader and a civic leader.[1] It is quite possible, what with the reception of Paul Whiteman and of distinguished Eskimos representing a brand of reindeer meat, that the entertainment features of the job are being overdone. Our earlier mayors never allowed such things to interfere with their work. At the outbreak of the world war, Mitchel, in receiving a steady procession of foreign dignitaries, felt obliged to greet them with some show of pomp. His successor, Hylan, made a hippodrome out of it. And it would not be too much to say that at the present time it is being subjected to downright commercialization. Whatever the future of this aspect of the mayor's posi-

[1] See *New York World*, March 17, 1928; *New York Times*, Nov. 29, 1928.

tion, and here as everywhere there is strong commercial sentiment against its neglect, the mayor is responsible for this.[1]

THE COMMISSIONER OF ACCOUNTS

In any event, even the ablest mayor could not manage the business end of his job single-handed. The charter makes no provision for any help in this respect. He is completely without technical staff assistants. The first effort to remedy this lack was the utilization of the office of commissioner of accounts. Mayor McClellan appointed John Purroy Mitchel to it for the particular purpose of investigating the administration of borough president Ahearn. Gaynor appointed Raymond Fosdick. Having found it a stepping stone to higher office it was to be expected that Mayor Mitchel would not overlook its importance. His able commissioner of accounts, Leonard M. Wallstein, besides numerous minor inquiries and important studies of the administrative organization, the workings of county government, and the mandatory features of the budget,[2] made a complete exposure of the corruption then existing in the office of coroner which led to the extinction of that ancient heritage and the establishment of an appointive medical examiner.

By way of contrast, Mayor Hylan appointed the questionable Hirshfield. Corrective and constructive activities were abandoned for malicious inquisitions and stupidities, such as his investigation of history textbooks (in which he scooped Mayor Thompson by ten years) and of birth control. None the less his very irresponsibility had a certain effect in keeping Hylan's Tammany friends in leash, as may be judged by the spiriting through the legislature of a bill providing that the power of subpoena could be exercised only by the head of a city department. This deprived Hirshfield of this considerable power and it was necessary to reëstablish his office as a city department. His Tammany successors have kept up the appearance of industry, but they have been distinguished neither for the independence of their inquiries nor for any creative value in their work.

THE ASSISTANT TO THE MAYOR AND THE BUDGET DIRECTOR

Mention is made below of Chamberlain Bruére's use of his office as a roving commission to aid his friend Mayor Mitchel. The latter also developed his two secretaries, Arthur Woods and Paul C. Wilson, into real assistants. Indeed, Mitchel did more than any mayor before or since to think through the administrative side of his job. The quality and industry of the aides with which he surrounded himself has never been surpassed in New York City. Mayor Hylan put his trust in the able Grover Whalen, who, at first as his secretary and later as head of the department of plant and structures, was for a time administrator-in-chief of the Hylan administration. After Whalen's withdrawal to become manager of the Wanamaker stores, at a reputed salary of $75,000 a year (abandoned in December, 1928, for the police commissionership), there was much discussion of the creation of an assistant mayor.

Toward the close of the Hylan administration, two new positions were created, those of director of the budget and assistant-to-the-mayor. The lat-

[1] See the article on "'Jimmy' Walker" by the same author in the NATIONAL MUNICIPAL REVIEW, October, 1928, pp. 567–577.

[2] *The Government of New York City; A Survey of Its Organizations and Functions*, 1915; *The Effect of Mandatory Legislation upon the Budget for the Year*, 1915; *County Government within the City of New York*, 1915.

ter of these offices was established by local law.[1] The budget directorship exists to this day by the mere appropriation of money for its salary.

The duties of neither position are very clearly defined. The nature of the budget director's work is perhaps implicit in his title; but the function of the assistant-to-the-mayor remains delightfully vague except that it would not, perhaps, be too severe to say that the present incumbent regards his duties as imitative rather than complementary to those of his chief. Certainly he has emphasized the public relations and political aspects of his post rather than the administrative. These, insofar as there has been any attempt to provide administrative leadership in the Walker administration, have been largely relegated to the budget director.

TECHNICAL ASSISTANTS FOR THE MAYOR

If the office of mayor is to develop so that it can cope with the demands of the gigantic enterprise which the city government has grown to be, it is essential that these staff aides be utilized after the manner of modern business administration. A much more logical and up-to-date evolution would be for the assistant-to-the-mayor to become a chief profession administrator (perhaps a city manager), thus releasing the mayor for the more important functions of policy determination and civic leadership.

The budget director is almost the most important official upon whom the board of estimate must rely. Not only is he its principal advisor on the budget itself, but he is its year-round authority on salary schedules, supplementary appropriations, and a number of minor matters. Yet he is appointed by and responsible to the mayor. To complicate matters still further, he has no staff of his own but must rely upon the board of estimate's thirty examiners who are under the immediate supervision of the board's secretary and its director of investigations. Owing to the party harmony which has prevailed for the last few years, this complex arrangement has occasioned no particular difficulty. But the structure is so fundamentally unsound that it may be expected to crumble under the first stress that is put upon it.

ENGINEERING CONSULTANT TO THE MAYOR

Another recent step in the development of a staff for the mayor was the utilization of the bill drafter of the municipal assembly, otherwise unemployed, as a legal advisor to the mayor. This was interrupted within a year by the untimely death of the incumbent. He personally was eminently equipped for the post, having served ably in a similar capacity with the state legislature. He was also a close friend of the mayor and that, rather than any need for such technical services, probably explains the creation of the office. Finally, the 1929 budget makes provision for an engineering assistant, to be called consultant engineer (and for some curious reason carried in the appropriation for the board of estimate). The only occasion for surprise in this is that the need for such was not perceived five or ten years ago.

As already noted, the mayor and the president of the board of aldermen are the only members who may not designate a deputy to sit in their places and exercise their full authority. The others, though in constant attendance themselves, make ample use of this privilege. If the mayor is required or desires to be absent, his powers are for the time being suspended, and the

[1] *Local Law* No. 7, March 25, 1925.

president of the board of aldermen takes his place. The latter, likewise, cannot withdraw except in favor of the vice-chairman of the board of aldermen, a wholly independent officer, chosen by that body. This handicaps both officials in their work, particularly in dealing with the numerous minor matters. The system of representation by deputies is certainly unusual in a legislative body, but it has given good results. It is unfortunate and unfair that the mayor, upon whom the pressure of other duties is greatest, should be denied it.

THE COMPTROLLER AND THE CHAMBERLAIN

The city charter creates two fiscal officers, the comptroller and the chamberlain. The latter office goes back to the Tweed charter in which he appears to have been treasurer of the city (the charter expressly makes him treasurer of the five counties), receiving and disbursing the city's funds, with the comptroller acting as auditor. The chamberlain is appointed by the mayor, whereas the comptroller is popularly elected on the theory that this renders him independent. This last expectation has been in some measure fulfilled. Comptroller Prendergast was a Republican. The present comptroller, Berry, and his predecessor, Craig, at least came from a different wing of the party than the mayors with whom they were elected. Craig was a Tammany man. He split with Hylan during their first term, but they were pulled together in seeking reëlection, after which their bitter personal quarrel was renewed and persisted to the very end of the Hylan régime and profoundly influenced the evolution of the board during this period. Craig was extremely useful to Tammany in accomplishing Hylan's overthrow and had a large share in determining that organization's attitude towards the mayor. With the Tammany Mayor Walker we have Berry, a Smith man, put in as a guarantee of the former's good conduct and a symbol of Smith's endorsement. Their relations have been rigidly formal. There have been persistent rumors of friction and occasional confirmatory glimpses of this in the sessions of the board, but nothing remotely resembling the unseemly bickering of the Craig-Hylan days.

THE CHAMBERLAIN ALMOST A FIGUREHEAD

In the development of the offices of the comptroller and chamberlain the apparent intention of the charter has been obscured and forgotten. The elected comptroller has from the first completely eclipsed his rival. The chamberlain's position, personally considered, has been reduced to a mere sinecure. Until recently its incumbent was the county boss of the Bronx upon whom the burdens of the office rested lightly. He has since been elevated to be secretary of state of New York. Hylan bestowed the job upon his friend, the wealthy and politically ambitious pencil king, Berolzheimer.

The most extraordinary person to occupy that office was Henry Bruére, director and factotum of the Bureau of Municipal Research before Mayor Mitchel installed him as his chamberlain. Bruére was his mayor's tireless right arm; but he could not help feeling that all his activity had nothing to do with the meagre functions of his office, and he ultimately resigned, advancing the unforgettable reason that his place was useless and should be abolished. The newspapers never tire of repeating the story whenever Mr. Bruére or the office of chamberlain is mentioned. As the position then existed, and there has been no change, it could well have been merged in the finance department of

which it is practically, and in the language of the charter, a bureau. A much better scheme would seem to be to select it as the nucleus for the creation of a genuine city treasurer's office.

THE COMPTROLLER IS BOTH AUDITOR AND TREASURER

As has been suggested, the comptroller's office, the finance department, has swallowed function after function that really belong to a city treasurer or to other functionaries, and not to the all-important responsibility of a city auditor. A good current example is the work of the division of real estate in that department. The charter places the power to purchase real estate at private sale (not condemnation) in the board of estimate, but such action by the board requires the "assent" of the comptroller. Actually, the appraisers in the division of real estate of the finance department conduct all negotiations. Their report is submitted to the comptroller for scrutiny and approval and he transmits it to the board of estimate which accepts it as a routine matter.

There is no intention here to criticize the probity and good faith of this practice. It is estimated by the responsible officers of two reform organizations of the city that five or six million dollars have recently been saved in the purchase of park and playground sites alone. But the charter provides that when a private purchase of real estate is to be made the board of estimate must give it its majority approval, whereupon it will go into effect when it is approved by the comptroller. Can one ask an office to audit a transaction it has already recommended? The price thus fixed is utterly without effective independent audit. A still further example of the imperialism of the department of finance is to be found in the history of the municipal reference library. When the board of estimate in 1912 decided to inaugurate this enterprise it was found that no money was available; whereupon Comptroller Prendergast, who had been advocating it, undertook it as a function of his department. It was not until 1914 that the unit emerged from this tutelage and its administration was assigned to the public library system. The finance department also had jurisdiction of the fixation and collection of market rentals until the department of markets was established in 1917.

THE COMPTROLLER'S PRESTIGE

It is easy to see why this unfortunate development has taken place. The comptroller's three votes in the board and his knowledge of other people's secrets make it easy for him to get appropriations. With a huge department to feed, he has tended to be drawn into the logrolling with which the board of estimate is beset. He is the one member who is always pampered by the board. His budget estimates and subsequent transfers are almost invariably accepted without discussion. Such deference is accorded no other member. Moreover, he is almost always the best informed member of the board.

Most of our comptrollers have been industrious at their jobs. There is a tendency for new functions to be incubated there and, though they may, when fledged, be transferred to more appropriate cages, the comptroller is likely to want to mother his brood. Thus the division of pensions in considerable measure duplicates the work of the separate pension systems. The bureau of franchise, now in the board of estimate secretariat, grew up in the finance department under Comptroller Grout. When he left office he recom-

mended that its engineer Nichols and his staff be lodged in the board of estimate. Under certain comptrollers, the bureau of municipal investigation and statistics formerly took charge of budget work, the ancestor of the present budget staff now in the custody of the board of estimate secretary. So also the bureau of contract supervision was a child of the finance department by a former comptroller.

GROWTH OF THE COMPTROLLER'S OFFICE

This is a mere symptom of what has happened in the comptroller's office. His staff has grown from 700 in 1900, operating on a $850,000 budget, to a force of 1,200, with a budget of $2,500,000, without taking into account the labor gain from the mechanical addressing and computing devices with which the office is abundantly equipped. Their answer is that all but one small segment of the city's fiscal business has been brought within the province of the very department that must audit all these activities. (See Table III.) That sole function is the chamberlain's present responsibility for the city's bank deposit books. "All taxes and practically all other receipts come to the comptroller's office; all payroll-making, and warrant-preparing are done there, save only that the chamberlain's clerk keeps track of the final issuance of the signed warrants or checks so that they will not overtake the city's bank balance. Rather than turn these duties into the overgrown finance department, it would seem more logical to vest with the chamberlain—or call him treasurer if the existing name has too much connotation of gentlemanly ease—the receiving of all city revenues, the preparation of all payrolls and warrants, the care of all city sinking funds, the management of bond sales, and the bookkeeping incident to all of these. The comptroller, relieved of the accumulated baggage of thirty years, would be freed for a more effective and independent scrutiny of the detail of the city's fiscal operations and would be prepared in the board of estimate to take a broader perspective upon those matters.

THE PRESIDENT OF THE BOARD OF ALDERMEN

The final member of the triumvirate that dominate the board is the president of the board of aldermen. His story sounds a wistful note. Though his power and prestige in the board of estimate have, if anything, been enhanced, those of his own board have waned steadily. Its president, however, steps into the shoes of the mayor if the latter so much as ventures beyond the bounds of the city, and exercises all but his removal power until his return; and its vice-chairman, one of its own number, follows in line. The occupants of the aldermanic presidency have been men of some dignity, in general more distinguished personally and politically than the borough presidents. Al Smith stepped from the post to the governorship; John Purroy Mitchel became mayor. The most effective member, and the one to whom the position owes most, was George McAneny. It was under him that the board of aldermen last showed vigor. Likewise it was he who led the board of estimate to initiate zoning, in which New York City led the nation. McAneny and Mitchel developed the personal staff attached to the office.

THE BOROUGH PRESIDENTS

The orginal charter, when Greater New York was achieved by consolidation in 1898, contemplated a fairly complete consolidation of administrative duties. It was, however, so speedily overtaken by widespread cor-

TABLE III

ORGANIZATION OF THE NEW YORK CITY DEPARTMENT OF FINANCE, 1928

- Comptroller
  - Deputy comptroller
  - Secretary to comptroller
  - Division of boards and commissions
  - Deputy comptroller
    - Bureau of audit — Chief auditor
      - Division of auditors and examiners
      - Division of inspection
      - Division of central payroll
      - Pay division
      - Division of refunds
    - Division of pensions — Actuary auditor
    - Division of real estate — Appraiser
    - Division of engineering — Chief Engineer
  - Deputy comptroller
    - Bureau of city collections — Collector of city revenue
      - Bronx branch
      - Brooklyn branch
      - Queens branch
      - Richmond branch
    - Bureau of accountancy — Chief Accountant
      - Division of disbursements
      - Division of stocks and bonds
      - Division of receipts
  - Assistant deputy
    - Bureau of law and adjustment
    - Bureau of municipal investigation and statistics — Supervising Statistician
  - Assistant deputy

ruption that, when the charter of 1901, under which the city still operates, was adopted, the powers of the board of public improvements were lodged with the board of estimate, as has been noted, and the administrative duties of the officers composing it were transferred to the borough presidents whose positions the new charter created. These officers have charge of all street paving and sewers, sewage disposal, repairs, the maintenance of public buildings, and permits for the construction and occupancy of private buildings. In the outlying boroughs of Queens and Richmond there are added street cleaning, and ash and snow removal. The borough presidents' offices of Manhattan and Brooklyn employ over 1,000 men each and have budgets of $6,513,000 and $5,323,000, respectively. The largest borough establishment, that of Queens, has a $9,882,000 appropriation, most of which is payroll.

THE BOROUGH PRESIDENT'S POLITICAL POWER

The borough president is a highly important cog in the county political machine. He speaks in the board, not only for his own office, but for all the county officers in his borough and in considerable measure for the branches of the mayor's departments in their boroughs. The Tammany Jupiter and his four moons have introduced

centrifugal and centripetal forces which must be understood if the aberrations of administrative orbits are to be fully understood.

On the one hand, the creation of branches of the mayor's departments in the various boroughs and the appointment of the heads of these branches and other important officers by the borough machines make for decentralization to an extent which the charter never contemplated; on the other hand, the strong position of the mayor and comptroller in budget making and control, the existence of a dominant machine, and the recognition of common political interests produce elements of coördination and concentration where the charter and the statutes of the state provide dispersion. In the broadest sense, of course, party organization has done here what it has done elsewhere. For checks and balances, elective discretions and representative responsibilities, it has substituted a hierarchy of its own and a certain vague collective responsibility. But the existence of sturdy satellites deflects this movement from its natural course. These compound motions profoundly affect actual administration. The quadrennial perihelion of the system occurs, of course, in the election year.

CASUALTIES IN THE BOROUGH PRESIDENT'S OFFICE

The office of borough president, because of the opportunities it presents in the board of estimate, is fully big enough to attract really big men. But with a fairly long ballot it is obscured, and election to it is determined in most cases by the success of the general ticket within the county rather than by the individual appeal of the aspirant for this particular post. There have been many satisfactory borough presidents and a few exceedingly good ones, but there have been more casualties in this office than in any other in the city. Three have been removed from office by the governor for malfeasance. Another abandoned his post for the freer air of Paris. Two more were convicted of fraud. The preoccupation of the borough presidents with their own burdensome duties and their own pet ambitions seriously militates against their taking a city viewpoint. Likewise many have been high-ranking party officers with attendant heavy responsibilities.

There are some indications, albeit faint, that the borough presidents are destined to lose in power. The trend towards an executive budget, the development of the office of the chief engineer of the board with the prospect that his responsibility for contracts may be enlarged, the proposed central sewage disposal plant, the highway survey, and the current discussion of a city planning commission all point in this direction. Meanwhile we are confronted with the concrete fact that the borough budgets are steadily expanding.

THE FUTURE OF THE BOARD'S STAFF

It was recommended by the 1922 charter commission, and again by the recent Lehman committee on budget, finance and revenue, that an executive budget be developed in New York and that the examining staff of the board of estimate be removed and placed under the mayor's budget director.[1] This is the national system and is spreading rapidly in our states and cities. It is unquestionably sound to charge the administrative officer with the duty of preparing the financial plan in the first instance. This is the procedure in private business. It is so

[1] *Finances and Financial Administration of New York City*, p. xvi.

natural and obvious that, even within a department, the chief naturally turns to his subordinates to work out his plans and they to theirs. To recommend it here seems, however, at least to the present writer, to completely overlook the unique character of the board of estimate and some of the complexities of our city government.

The board of estimate and apportionment is the real governing body of the city. The budget is an integral part of its work, indeed the very core of its work. All its other functions respecting bond issues, public improvements, and the control of wage policies and pensions are intimately related to the budget. To exclude the board from the really fluid stages of budget making would greatly handicap it in the balance of its work.

Secondly, it must be borne in mind that the mayor has charge of but a part of the government within the city. The mayor's departments consume less than 60 per cent of the budget. He has no jurisdiction over county or borough government and relatively little over the department of education. Within his proper province he should have complete authority to determine what the units for which he is responsible shall propose. To this end, he should have a budget office with an adequate personnel.

NEED FOR AN EXECUTIVE DEPARTMENT

In fact, the writer would be willing to go so far as to suggest that there should be erected, as immediately responsible to him, an executive department headed by the assistant-to-the-mayor in which would be placed a budget bureau, a franchise bureau, and a public improvements bureau (headed by an experienced engineer). Possibly the commissioner of accounts and the work of his department should be brought within it. It is highly desirable that the supervisory power of the mayor over his own departments be substantially strengthened, and the author, for one, would not be loath to see this jurisdiction extended to include some county and borough functions, were this possible. But we are assured by all competent observers that the prospect of this is indefinitely remote. While this continues to be the case it will not be possible to ignore the board of estimate in budget making.

STAFF NEEDED FOR REAL BUDGET MAKING

More important even than this is the fact that the board, just as any other legislative body, needs a staff, if its budget approval is to be anything but perfunctory. This is one of the things which some advocates of the executive budget system overlook. It is not enough that the executive be given the opportunity to present the budget proposals for the departments for which he is responsible. There is an equally important need for a competent scrutiny of his estimates by the legislative authority. This cannot be given by amateurs. The board of estimate has as vital a need for expert assistance as has the mayor. This the board now has. To propose its transference is to misconceive completely the true implications of the executive budget plan. The mayor should develop his own staff. This would in no true sense be duplication. The two groups would view the budget from different angles. It is unlikely that a $600,000,000 budget can be too carefully examined.

There is a further objection on practical grounds. The real clue to wise and efficient budget making is to be found in the development of a permanent and specialized staff independent of political control, with a background of experience and power to penetrate the document to its tiniest

item and to recommend what they see fit. Such the budget examiners of the board of estimate now are, though their authority is weaker than we might like to see it. It would be hard to discover a more unusual group in the city government or a group with a higher *esprit de corps*. Considering the whole matter by and large and taking into account the rather violent upheavals that have occurred in the mayoralty itself, it seems indisputable that the board of estimate offers a stable mooring for the examining lightship.

THE FUTURE OF THE BOARD ITSELF

There is a consensus of opinion that the two most pressing governmental needs in New York City are a general revision of the 1901 charter under which the city is operating, and some kind of planning body. This was recognized in the campaign of 1925 and the ever-obliging Walker made some promises concerning it. Having no other issue, he reverted to it frequently and eloquently. It was never quite clear whether he was referring to one or the other of these needs or to both. After the usual delay, 476 persons were appointed to a committee on plan and survey which, after two years, reported that there was a real need for planning and surveying. It is hard to see that, at the close of the third year of the present administration, we are any nearer an actual beginning than we were when it started.[1]

[1] The report prepared by Edward M. Bassett, appointed by Mayor Walker to advise on the manner of establishing a planning commission, was submitted December 20, 1928, and made public early in January. It recommends a board of three members, one of whom was to be the chief engineer of the board of estimate. The appointed members would serve four-year overlapping terms and receive salaries of $15,000. The duties of this board would be largely advisory except that it would assume the burden-some city map and zone change hearings which now clog the board of estimate's calendar, and it must prepare a master plan. The making of this master plan would be its principal function and though its decisions would not be binding upon the board of estimate all city departments would be required to request it to report on any improvement or major public work before requesting an appropriation. For a period of eighteen months while the board is at work on its plan, the chief engineer would hold the map and zoning hearings.

Two other proposals are receiving much discussion in the newspapers as this study goes to press. It is understood that the present city administration endorses them and will transmit them to the state legislature now in session. One of these provides for a commission or board of sanitation which, it is understood, the present city comptroller, Dr. C. W. Berry, will head, resigning his present office. The commission would consist of three members, a doctor, an engineer, and a layman. It would be given broad powers over sewers and street cleaning and the disposal problems associated with each. Another commission (modelled on the Port of New York Authority) is being advocated to undertake the building of bridges and vehicular tunnels linking the various boroughs. The principal reason for creating such a traffic authority limit is the city's present inability under its constitutional debt to finance such projects. It is at least doubtful if legal obligation may be escaped through such a device. Any of these three proposals will vitally affect the work of the board of estimate and the power and influence of the borough presidents.

NEED FOR REORGANIZATION OF THE BOARD

It must be clear that the future of the board of estimate is intimately bound up with both of these proposals. On the one hand, though the board of estimate has been a success and has a secure and dominant place in the city's government, it is not so certain that the presence of six members, each with more than a thousand subordinates and budgets running from a million to ten million, is a sound system or gives satisfactory results. The members of

the busiest legislative body in the world are almost too busy to devote themselves thoroughly to its work. It is also somewhat unfortunate that five members of this great body should be part of a system that forces them to look at things from a viewpoint less comprehensive than the welfare and interests of the city as a whole.

Borough pride dies slowly. Particularly in the outlying boroughs, there is a sturdy demand for improvements of all kinds, and it is among these very people that we find the greatest insistence that the tax rate be kept down. The present system fosters the dissociation of these conflicting aims. It has the further demerit of choosing administrative officials by popular election. And on top of this, it puts these officials on the very board that votes their budgets. These weaknesses can perhaps best be attacked in the inverse order of their mention here. The easiest step would be to lessen or eliminate the voting strength upon the budget, either by increasing the power of the "big three" or by curtailing the privileges of the borough president. Or it might be possible to divorce the representative and administrative features of their jobs. But borough representation, perhaps not without merit, is one of the fixtures of the situation. There are likewise serious questions of power and administrative control to be worked out between the mayor and the board of estimate.

POLITICAL FACTORS INVOLVED

Throughout this brief survey it has been possible to make but occasional reference to politics, in part because there has been no minority representation in the board in the last decade, but even more because partisan politics has always been a minor theme in the board. In any future reorganization of the board, however, politics, both as between the major parties and as affecting the internal economy of the dominant Democratic party, will be a major theme.

The borough of Brooklyn now has a population half a million greater than that of Manhattan (the original New York City). Its Democratic organization is more thoroughly in control of its own borough than Tammany is in Manhattan. The Tammany realm is a much more fruitful one, but control over it may shift with the political center of gravity. The Tammany organization, in the main, is confined to the boroughs of Manhattan and the Bronx. There are complex relationships between it and the other three borough machines which would carry us quite beyond the bounds of this paper. But it is sufficient to say that such forces will have far more to do with any reorganization in the composition and prerogatives of the board of estimate than any administrative considerations here presented. There is much current talk of the creation of a planning commission, but at this time one would be venturesome indeed who dared to predict its outcome.

If the writer may be indulged to suggest his own blend of practicality and theory, he would propose a board of estimate composed of the present "big three," acting ex officio, and twelve borough representatives assigned roughly according to the population of the boroughs. These would have no other duties than attendance at the board. The writer would allot the "big three" five votes apiece and the others one each. The hope would be to reduce logrolling, or its importance, by dilution. If a still more utopian variant were possible, some form of proportional representation to insure the presence of the minority and a more genuine sampling of the culture and opinion of the community should be

introduced. In any event the borough representatives, as ministers without portfolio, would be arbitrators and critics, but would lack power to thwart the administration when its responsible heads were in agreement. The responsibility of the "big three," however, would be to the people rather than to the board. The weakening of the borough representatives might be compensated for, in part, by making the board of estimate staff answerable solely to them.

But even such a modest proposal would fall among the thorns of politics. There is no present prospect of general charter revision. Rather the board of estimate will continue to grow slowly. The very volume of its work will certainly necessitate its being relieved. The need for some kind of coördinated city planning is so obvious and urgent that it cannot long be refused. Likewise a decade of heedlessness has brought us to the very roof of the city's borrowing capacity. There is scarcely room to stick another bond in, but a whole series of pressing problems are clamoring outside for admittance and the public is beginning to join the cry. Whether this problem be met through some heroic remedy such as the creation of traffic authority or by a saner economic and fiscal city planning, the board of estimate will still have a heavy hand on the helm.